REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES,

DURING THE YEAR

1879

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Review of His Honor the Lieutenant Governor of the Punjab

No 1357 of 1880

FROM

T O WILKINSON, ESQUIRE,

Officiating Registrar, Chief Court, Punjab

TO

W M YOUNG, ESQUIRE,

Secretary to Government, Punjab.

Dated Lahore, the 1st May 1880

SIR,

I am desired by the Judges of the Chief Court to submit the prescribed Annual Statements and Report on the Administration of Criminal Justice in the Punjab during the year 1879

Dates of receipt of Divisional Reports

2 The Divisional Reports were received in this Office on the dates noted below —

Hissar, February 6th	Mooltan, March 2nd
Rawalpindi, February 14th	Amritsar March 10th
Jullundur, February 27th	Umballa, March 14th.
Lahore, March 1st	Delhi, March 17th
Peshawar, March 1st.	Derajat, April 7th

The last returns were received from the Deputy Commissioner of Bannu on the 22nd March.

The submission of the Derajat Divisional Report to this Office has been delayed for more than a month by the non-submission to the Commissioner, until the 2nd April, of the report from the Bannu District The Deputy Commissioner explains that, in addition to heavy appellate work, he has been much burdened with duties, usually devolving on Transport and Commissariat Officers, in connection with the movements of troops

Arrangement of report.

3 The report notices the usual subjects in the following order —

I Original jurisdiction
- A General review of offences committed and brought to trial
- B Offences classified
- C Results of trials
- D Agency
- E Special jurisdiction
- F Original work of Courts of Session
- G Witnesses

II Appellate jurisdiction of Magistrates and Sessions Courts

III Punishments

IV Preventive jurisdiction

V Chief Court jurisdiction

VI Procedure

PART I

A —GENERAL REVIEW OF OFFENCES COMMITTED AND BROUGHT TO TRIAL.

Results of the last five years compared

4 In the following table will be found a comparison, for the last six years, of the number of offences reported, the number struck off the register at the request of the police, the number of offences admitted to have occurred, and the number of cases and persons brought to trial —

1	2	3	4	5	6	7
NATURE OF OFFENCES	Year	Offences reported	Offences struck off the register on the application of the police	Offences admitted to have occurred	Cases brought to trial	Persons brought to trial
Non bailable	1874	30 850	2 900	27 890	15,087	27 284
	1875	29 542	2 899	26 643	14 110	22 003
	1876	29 243	2 377	26 866	14 056	21 005
	1877	31 202	1 620	29 677	15 670	24 574
	1878	37 269	1 594	35 675	20 755	31 035
	1879	35 251	1 112	34 139	19 086	29 004
Bailable	1874	67 280	812	66 468	61 116	129 703
	1875	64 121	990	63 131	62,115	140 648
	1876	63 823	681	62 148	53 501	129 318
	1877	61 724	456	63 268	61 089	131 381
	1878	61 396	285	61 111	61,217	128 410
	1879	66 170	298	65 872	62 445	133 486
Total	1874	96 080	3 802	92 278	76 205	158 047
	1875	93 863	3 889	89 97	76 424	152 651
	1876	93 672	3 058	89 51	73 557	150 323
	1877	94 926	1 981	92 947	76 759	155 955
	1878	100,661	1 679	98 981	81 772	159 445
	1879	101 421	1 410	100 011	82 531	162 542

Increase and decrease of offences reported

5 While, therefore, there has been a total increase amounting to 9 7 per cent in the number of offences reported, the figures of non-bailable crime show a diminution of 5 4 per cent and consequently bailable offences have increased by 4 4 per cent

Offences struck off the register on application of the police

6 The number of cases whether bailable or non bailable, struck off the register on the application of the police continues to decrease The proportion (10 per cent) is highest in the Ferozepore District It was 11 per cent in the same district last year only one case was so treated in the Hoshiárpur District

The Court's instructions, issued early in 1879 directing Magistrates of Districts alone to dispose of such cases, and invariably on an English Memorandum from the District Superintendent of Police, have been universally followed, and have doubtless contributed to the result in the present year above noticed.

Offences against property

7 Offences against property form as usual the bulk of the non-bailable crime The variations in this class of crime in two years are given below —

	1878	1879
Theft of cattle	4 069	4 312
„ ordinary	11 986	10 698
Dishonestly receiving stolen property ..	3 251	3 186
Lurking house-trespass in order to commit theft .	10,281	10 621

Increase in non bailable crime localized

8 Non bailable crime has increased in 17 districts The percentage of increase varies from 31 in Muzaffargarh to 1 in Amritsar and Montgomery

The increase in the Muzaffargarh District is attributed partly to high prices and partly to the adoption of special measures tending to the more general reporting of crime, and in Shahpur where it amounts to 27 per cent, to high prices

The increase is generally observable in districts on or towards the frontier as will be apparent from the following table —

Kohát	23 per cent
Bannu	10 „
Dera Ismail Khan	22 „
Dera Ghází Khan	30 „
Jhelum ..	40 „

The small increase of 3 per cent in the Rawalpindi District forms an exception, while in Peshawar there has been an actual decrease of 3 per cent on the results of 1878 which is the more remarkable as those results showed a decline in the same proportion on the results of 1877

The general increase in the districts peculiarly affected by the war was to be expected, and the large influx of persons and property to and from the front, coupled with the increased price of grain, sufficiently explains it

Decrease in non bailable crime localized

9 The chief decrease was in the Delhi Division and in portions of the Hissar and Umballa Divisions as shown below —

Delhi	..	...	..	28	per cent
Gurgaon	...	..	..	32	"
Rohtak	...	...	.	35	"
Hissar	...	..		23	"
Karnal	.	.	.	43	"
Umballa	...		.	31	"
Ludhiána	.		...	22	"

The large increase in 1878 owing to bad harvests was compensated by a similar decrease in the year under review owing to a return to good seasons To this should be added exceptional sickness in the Delhi Division

Other noteworthy features

10 In the other districts the most noticeable points are a decrease of 1 per cent in Amritsar which compares remarkably with an increase of 36 per cent in the adjoining district of Jullundur on the one side and a decrease of 22 per cent in Siálkot on the other The usual guesses are made to account for these variations but the explanations are not satisfactory

Bailable offences

11 The proportion of bailable cases admitted to have occurred falling under the Indian Penal Code to those under the Criminal Procedure Code and Local and Special Laws respectively is virtually the same as last year, *viz*, 53 per cent of the former to 47 of the latter

Variations in bailable crime

12 The following table shows the districts in which variations in bailable crime reached or exceeded 20 per cent —

District	Increase	Decrease
Delhi		20
Simla	99	
Gurdáspur	23	
Gujranwála	..	22
Ferozepore	41	...
Jhelum	23	...
Shahpur	.	24
Montgomery	...	33
Muzaffargarh	23	.
Dera Ismail Khan	21	...
Dera Ghází Khan	21	.
Bannu	28	

The variations are due in all these districts to the fluctuations in nuisance and assault cases It is noteworthy that reporting officers calculate the percentage of bailable crime only on the number of such offences falling under the Penal Code and consequently the real differences are neither noticed nor explained by them

Cases brought to trial

13 The percentage of cases in which offenders were brought to trial to cases admitted to have occurred during 1878 and 1879 respectively, is as follows —

	1878	1879
Non bailable	57	56
Bailable	97	96

Persons brought to trial

14 The total number of persons brought to trial amounted to 162,542 in the year under report, as compared with 159 445 in the preceding year Of these 29 054 were tried for non-bailable and 133 488 for bailable offences The corresponding figures for 1878 were 31,035 and 159,445 respectively

B—Offences Classified

Offences under the Indian Penal Code

15 Imperial Return No 2 gives particulars regarding the number of offences reported and persons tried for each class of offence under the Indian Penal Code, the Criminal Procedure Code, and Local and Special Laws

The following is an abstract comparative statement of such particulars in cases falling under the Indian Penal Code —

Chapter and Subject	Number of offences reported during the year		Percentage of increase or decrease	Persons brought to trial during the year		Persons convicted and committed during the year		Percentage of persons convicted & committed to those brought to trial	
	1878	1879		1878	1879	1878	1879	1878	1879
Chapter V —Concealing design to commit offences (118—120)	4	9	+ 125	10	17	7	15	70	88
" VII —Offences relating to the Army and Navy (131—140)	5	6	+ 100	5	47	3	31	60	66
" VIII —Offences against the public tranquillity (143—160)	575	579	+ 1	4 512	4 185	3,220	3,032	71	72
" IX —Offences by or relating to, public servants (161—171)	241	208	— 13	338	299	127	102	37	34
" X —Contempts of the lawful authority of public servants (172 190)	1,174	1,186	+ 1	2,177	2,429	1 268	1,461	58	60
" XI —False evidence and offences against the public justice (193—229)	1 003	909	— 9	1,662	1,457	855	825	51	57
" XII —Offences relating to coin and Government Stamps (231—263)	243	225	— 8	269	259	164	191	61	73
" XIII —Do do to weights and measures (264—267)	110	91	— 17	176	131	122	96	69	73
" XIV —Do affecting the public health safety convenience decency and morals (269—294 A)	518	537	+ 4	1,459	1,572	1,021	1 185	70	75
" XV —Do relating to religion (295—298)	79	72	— 9	181	165	50	48	27	29
XVI —Do affecting the human body									
1 —Do do life (302—311)	866	857	— 1	1 155	1,142	801	763	69	67
2 —Miscarriage, injuries to unborn children exposure of infants concealment of birth (312—318)	70	58	— 17	80	67	40	30	50	45
3 —Hurt (319—338)	3 725	3 460	— 7	7 015	6 722	3,290	2 833	47	42
4 —Wrongful restraint and confinement (341—348)	502	477	— 5	1 009	1,008	214	184	20	18
5 —Criminal force and assault (352—358)	16 324	17 651	+ 8	38,348	39,322	6 465	5 850	17	15
6 —Kidnapping forcible abduction slavery and forced labor (363—374)	311	249	— 20	520	380	211	169	40	43
7 Rape (376)	132	102	— 23	107	105	36	34	33	37
8 — Unnatural offences (377)	80	74	— 9	72	65	45	37	62	57
Chapter XVII —Offences against property									
1 —Theft (379—382)	16,706	15 508	— 7	15 900	14 536	12 371	11,265	77	77
2 —Extortion (384—389)	237	242	— 2	363	391	67	56	18	14
3 —Robbery and dacoity (392—402)	385	481	+ 25	510	567	226	271	43	48
4 —Criminal misappropriation of property (403—404)	555	518	— 7	776	791	424	384	55	48
5 —Do breach of trust (406—409)	681	679		747	861	345	415	46	48
6 —Receiving stolen property (411—414)	3 483	3 358	— 3	4 992	4 698	3,177	2 949	63	63
7 —Cheating (417—420)	724	697	— 4	1 069	1 015	345	316	32	31
8 —Fraudulent deeds and dispositions of property (421—424)	14	28	+100	31	63	8	24	26	38
9 —Mischief (426—440)	2 350	2,138	— 9	4 949	3 936	1 807	1 232	36	31
10 —Criminal trespass (447—462)	15 799	15,218	— 3	9,451	9 427	5,656	5,422	60	57
Chapter XVIII —Offences relating to documents and to trade or property marks									
1 —Do do to documents (465—477)	156	126	— 19	254	237	53	75	21	31
2 —Do do to trade and property marks (482—489)	14	10	— 29	32	18	9	4	28	22
" XIX —Criminal breach of contracts of service (490—492)	45	121	+ 169	113	243	22	178	19	53
" XX —Offences relating to marriage (493—498)	3 303	3 253	— 1	4 814	4 482	825	634	17	14
" XXI —Defamation (500—502)	210	183	— 13	319	263	82	57	26	21
" XXII —Criminal intimidation, insult and annoyance (504—510)	468	580	+ 24	758	910	171	251	22	27
Total	71 087	69 859	— 2	104,251	101,831	43 529	40 424	41	40

16 The number of murders of all kinds reported increased from 363 in 1878 to 371 in 1879 • In the following table are shown the districts wherein such cases were most frequent The figures of 1878 are included for purposes of comparison —

Murders

District	Number of cases reported in		Persons discharged in		Persons committed for trial in	
	1878	1879	1878	1879	1878	1879
Pesháwar	59	53	17	24	42	51
Kohát	30	47	36	32	13	11
Hazárá	16	33	6	10	43	9
Rawalpindi	36	26	12	11	40	27
Jhelum	24	19	2	3	28	35
Bannu	14	17	4	6	21	35
Dera Ismail Khan	11	15	14	1	17	8
Dera Ghází Khan	11	15		5	9	23
Shahpur	7	12	1	6	11	21

The increase of 6 cases in Pesháwar still leaves the district total for 1879 lower by 10 than the total of 1877 This increase as well as the rise in the Kohát and Hazárá Districts, is attributable to the unsettled state of that part of the country during the year The small percentage of persons committed for trial in the Kohat District formed matter for unfavorable comment in last year s report The proportion this year is still less In the Hazárá District the falling off is very marked, and probably the causes which facilitated the perpetration of the murders in these districts favored also the escape of the criminals

In Rawalpindi there has been a substantial decrease in the number of such crimes bringing down the total to the figures for 1877 The decrease in the Jhelum District is not so marked

Of the murders reported in 1879 23 or 6 per cent were struck off as not having really occurred 57 cases involving 159 persons were tried by Councils of Elders in Frontier Districts, and 249 in which 531 persons were concerned were disposed of by ordinary tribunals Eighty-eight of the persons tried by Councils of Elders were convicted and sentenced to fine, and the remainder (71) acquitted The proportion in 1878 was 92 convicted to 20 acquitted

The subjoined table gives the results of murder cases disposed of by magisterial inquiry The totals of 1878 are added for purposes of comparison —

	Offences reported	For Disposal		Disposed of				
		Cases.	Persons.	Cases.	Persons			
					Discharged, &c	Committed	Died &c	Total.
Murders by thugs	6	3	3	3	1	2		3
Murders by dacoits	19	3	14	3	5	9		14
Murders by robbers	34	22	47	22	22	25		47
Murders by poison	25	15	22	14	3	18		21
Murders from motives connected with women	122	93	191	91	44	141	2	187
Other murders	165	113	254	104	58	162	7	227
Total 1879	371	249	531	237	133	357	9	499
Total 1878	363	284	575	273	135	412	7	554

The trials for murder in Sessions Courts of 379 persons resulted in the conviction of 253, of whom 107 were sentenced to death and 146 to transportation for life 120 persons were acquitted The proportion of acquittals has fallen from 35 to 32 per cent This percentage is exceeded in the following Divisions —

Peshawar	...	.	..	50 per cent
Delhi	..	..	..	45 "
Hissar	...	...		41 "
Lahore	.	...	..	35 "

The proportion of persons convicted of murder was highest in the Mooltan Division (89 per cent) The high percentage of acquittals in the Peshawar Division (48) during 1878 was commented upon by His Honor the Lieutenant Governor in his review of the last report submitted The results of 1879 show a further increase of 2 per cent in acquittals in this division The Judges have not lost sight of the remarks contained in para 4 of His Honor's review, but it should be borne in mind that, in the absence of grounds which would warrant their interference on the revision side, they cannot consider the propriety of an acquittal unless the cases are brought within their cognizance by appeals on behalf of Government

Attempt to murder

17 In 59 reported cases of attempt to murder, 61 persons were brought to trial 41 of these were convicted by Deputy Commissioners exercising enhanced powers or committed to the Sessions, 10 were acquitted and 10 remained under trial at the close of the year

Culpable homicide

18 Cases of culpable homicide have risen from 160 in 1878 to 189 in the year under report The number of persons tried during the latter year was 279 as compared with 226 in the preceding 75 were discharged and 191 convicted or committed, leaving 11 under trial at the end of the year In 1878 the discharges numbered 71, and the convictions and committals 141

Rape

19 Of 105 persons tried in 102 reported cases of rape, 39 only were convicted and 7 were awaiting trial when the year ended The number of reported cases in 1878 was 132, and 36 persons were convicted out of a total of 107 tried

Unnatural Crime

20 Cases of unnatural crime, which in 1878 showed a decrease of 29 on the figures of 1877, have still further fallen *viz* from 80 to 73 in 1879 Thirty-seven persons were convicted out of 65 brought to trial

Theft receiving stolen property and burglary

21 The total number of reported cases of theft, receiving stolen property, lurking house trespass and house-breaking in 1879 and the 5 years preceding, is given in the comparative statement which follows —

	1874	1875	1876	1877	1878	1879
Ordinary thefts including abetment and attempts .	10 651	10 078	10 715	10 254	12 444	11 037
Cattle thefts " .	3 902	3 881	2 998	3 235	4 231	4 456
Receiving stolen property	3 075	3 094	3 032	2 859	3 483	3 358
Lurking house trespass or house breaking	2 311	2 792	2 176	3 158	3 646	2 266
" in order to commit theft .	7 393	7,465	6 577	8 421	10 574	10 843
TOTAL	27 332	26 750	25 498	27 927	34 378	31 960

The increase by 50 per cent in cases of cattle theft in the last three years deserves attention The increase in 1879 is generally attributed to the rise in the value of cattle making successful theft of them a profitable transaction

The following statement gives the statistics of these offences for each district during 1879 and the year preceding, and includes cases struck off the register on the application of the police —

DISTRICT	Ordinary thefts including abetments and attempts		Cattle thefts		Receiving stolen property		Simple lurking house trespass or house breaking		Lurking house trespass or house breaking, in order to commit theft	
	1878	1879	1878	1879	1878	1879	1878	1879	1878	1879
Delhi	708	570	67	44	276	162	121	68	544	440
Gurgaon	568	286	266	180	157	134	29	20	345	217
Karnal	253	164	134	98	116	84	217	74	285	161
Hissar	248	189	215	181	86	43	38	14	165	194
Rohtak	287	162	175	69	106	89	7	2	356	243
Sirsa	183	190	85	161	82	55	6	10	77	57
Umballa	781	484	114	95	318	184	319	203	610	444
Ludhiána	398	312	61	52	53	56	151	98	216	160
Simla	174	168		1	6	31	1	3	21	28
Jullundur	849	501	49	103	79	93	43	6	634	367
Hoshiárpur	351	326	43	49	50	62	162	185	355	379
Kangra	372	291	43	35	18	25	32	41	122	153
Amritsar	641	713	94	190	199	161	273	211	502	517
Gurdáspur	708	541	141	184	95	159	408	164	616	844
Siálkot	643	432	119	129	113	109	3 7	246	598	485
Lahore	971	898	328	393	250	249	168	46	570	885
Gujránwála	280	241	186	251	109	94	53	66	260	243
Ferozepore	387	350	67	91	115	119	43	6	186	99
Rawalpindi	522	577	42	81	118	153	218	176	351	346
Jhelum	436	747	38	48	82	81	56	17	309	549
Gujrat	261	144	81	90	109	116	98	88	252	256
Shahpur	126	175	124	178	73	76	32	5	167	218
Mooltan	649	512	320	350	230	199	43	19	700	493
Jhang	144	152	122	318	140	207	12	10	229	248
Montgomery	180	180	321	330	87	96	16	10	171	177
Muzaffargarh	208	245	85	121	98	120	28	38	236	406
Dera Ismail Khan	196	141	84	144	72	96	78	53	148	208
Dera Ghazi Khan	248	275	150	218	28	66	25	27	172	203
Bannu	246	294	46	57	35	54	128	150	211	216
Peshâwar	298	323	61	79	59	100	146	111	587	203
Hazárá	518	498	141	88	8	41	50	65	526	580
Kohát	148	203	140	153	31	45	13	34	304	307

For the above offences 25 145 persons were tried in 1879, of whom 18 653 or 74 per cent were convicted or committed The proportion was 76 per cent in 1878 and 72 in 1877

Highway robberies and dacoities

22 The number of highway robberies reported has fallen from 116 to 98 Fifty seven of these occurred in the Peshâwar Division Kohat heading the list with 29 cases, an increase of 12 on the district return for 1878 Dacoities, on the other hand, have increased from 60 to 110 In the Peshâwar Division alone, the provincial total of 1878 has been exceeded by 2 while the Dera Ismail Khan District contributes 30 cases Discharges and acquittals still exceed convictions and committals in these classes of offences

Serious mischief by fire

23 Seventy more cases of serious mischief by fire were reported as having occurred in 1879 than in 1878 (146 in the former year and 76 in the latter) They were most frequent in the Hazárá Bannu and Kohát Districts, the number being 54 38 and 14 respectively The results of detection and punishment were not satisfactory, 23 persons only were brought to trial in the 132 cases admitted to have occurred, and, of this small number but 9 were convicted or committed

Noteworthy increases in bailable offences

24 Increases occurred chiefly in the following classes of bailable offences—

	1878	1879
Assault	16 306	17 635
Criminal trespass	912	1,117
Criminal breach of contracts of service .	45	121
Insult	431	512
Breach of Laws relating to Prisons ...	22	162
Do Railways	190	354
Do Cantonments	2 624	3 989
Nuisances under the Punjab Municipal Act ..	2 316	3 722
Breach of laws relating to village watchmen .	290	497

Assault cases.

25. Assault cases were most numerous in the Gurdáspur and Amritsar Districts. The increase over the results of 1878 in the former district amounts to 547, and in the latter, to 488 cases. No explanation has been afforded in either instance.

Of the 39,294 persons under trial for assault during the year convictions were obtained against only 5,831. The complaints against 23,325 persons were withdrawn and orders of discharge were recorded against 9,653 persons. The complainant's statement is reported as being almost invariably reduced to writing before issue of a summons.

Criminal trespass

26. Cases of criminal trespass were most numerous in the Hoshiárpur District, and have increased from 113 in 1878 to 195 in 1879. The Deputy Commissioner is of opinion that the large number of transfers of land during the last financial year, probably accounts in some measure for the large number of trespasses.

In these 195 cases, 467 persons were involved. The complaints in cases regarding 282 persons were withdrawn, 101 persons were convicted and 80 acquitted.

Criminal breaches of contracts of service, and of laws relating to village watchmen.

27. Criminal breaches of contracts of service have increased chiefly in the Kohát and Rawalpindi Districts, and appear to have arisen out of services connected with the movements of troops.

Ninty-seven persons out of 111 were convicted in the former as compared with 4 out of 34 in the latter district. The same districts are conspicuous for the number of breaches of laws relating to village watchmen. 209 persons were convicted in the Kohát District and 60 in Rawalpindi.

Decrease in certain bailable offences.

28. Decreases are most marked under the following classes of bailable offences:—

	1878.	1879.
Causing Hurt	2,891	2,691
Mischief (Ordinary)	1,677	1,416
Breach of laws relating to Salt and Saltpetre ...	426	31
Do. Customs ...	201	177
Do. Forests ...	834	643
Offences under the Police Act other than by Police Officers	244	21
Offences under P. Munl. Act other than nuisances ...	1,197	443
Breach of Miscellaneous rules under Punjab Laws Act	234	136
Breach of Laws relating to Prostitutes ...	467	197

Causing hurt and mischief.

29. The decrease in cases of causing hurt occurred chiefly in the Delhi, Siálkot, Bannu, Pesháwar and Kohát Districts. The proportion of convictions to persons prosecuted for causing hurt was 56 per cent. In 1878 the percentage was 57. The prosecution was abandoned against 29 per cent. in 1879 compared with 23 per cent. in 1878 of the total number of persons against whom complaints were launched.

In cases of ordinary mischief the most noteworthy decreases were in the districts named in the margin.* The proportion of acquittals and discharges in such cases was 70 per cent. in 1879. In 1878 it was 64 per cent.

* Gurgaon, Jullundur, Ferozepore Rawalpindi, and Bannu.

Salt and Saltpetre and Customs Act.

30. The decrease of breaches of laws relating to salt and saltpetre, and to customs is due in a very large measure to the abolition of the Customs line. The percentages of convictions in these descriptions of cases were, in the former 82, and in the latter 81 per cent,

Forest Law.

31. Of persons tried for offences against the Forest Law 81 per cent were convicted as compared with 76 per cent. in 1878. The result is perhaps due to greater care in instituting prosecutions.

Miscellaneous offences under the Police Act.

32 There were 234 miscellaneous cases under the Police Act in the Mooltan District in 1878 In 1879 no such cases occurred there

Prostitutes

33 In the Ferozepore District prosecutions for breaches of the law relating to prostitutes fell from 274 in 1878 to 8 in the year under report Of 439 persons tried throughout the Province for such breaches in 1879 330 or 75 per cent were convicted The corresponding convictions in the preceding year amounted to 81 per cent of the persons proceeded against

Offences under the Criminal Procedure Code

34 Cases under the Criminal Procedure Code will be noticed at length in Part IV

C —General Results of Trials and inquiries by Magistrates

Persons for trial

35 The number of persons charged with offences before Magistrates during 1879 was 160 792 as compared with 157 613 in 1878 Details of the manner in which their attendance was secured are given in the following comparative table —

In what manner	1878		1879	
	Number	Percentage	Number	Percentage
Under arrest by police	68 182	43 3	70 615	43 6
Under warrant	9 693	6 1	8 719	5 4
Upon summons	74 876	47 5	77 277	48 1
Voluntarily	4 822	3 1	4 729	2 9
By transfer	40		52	
Total	157 613		160 792	

The variations do not call for comment

General results of Magisterial inquiries and trials

36 Including 1 750 persons under trial at the end of 1878 there were 162 542 persons for disposal during the year Of these 160 698 or 98 7 per cent were disposed of, and the cases of 1 844 were pending when the year closed

The following are details of disposal —

Committed to the Sessions	699 or 4
Convicted	85 547 or 53 2
Acquitted	16 522 or 10 3
Discharged	57 622 or 35 9
Died, escaped or transferred	308 or 2

Of the total number discharged 34 908 or 61 per cent were persons regarding whom the prosecution was withdrawn or dismissed in consequence of the complainant's non-appearance

Results in each district

37 The following statement furnishes a summary of the results of inquiries and trials in each district —

1	2	3	4	5	6
DISTRICT	Year	Committed for and convicted of non bailable offences	Committed for and convicted of bailable offences under the Indian Penal Code	Committed for and convicted of offences under the Criminal Procedure Code and Special and Local Laws	Total percentage committed and convicted
Delhi	1878	73 9	26 6	63 4	52 7
	1879	74 2	20 8	64 7	47 5
Gurgaon	1878	77 9	35 1	81 3	65 8
	1879	79 2	30 1	78 5	61 8
Karnál	1878	71 3	47 2	76 2	65 5
	1879	67 9	30 1	78 6	60 3
Hissar	1878	71 8	38 2	79 2	68 3
	1879	73 8	31 9	84 8	55 9
Rohtak	1878	74 4	50 8	81 4	70 4
	1879	68 7	41 1	77 5	65 6
Sirsa	1878	69 6	42 0	77 6	59 5
	1879	78 7	46 4	77 3	65 7
Umballa	1878	68 8	30 9	77 1	54 6
	1879	71 4	35 8	69 6	55 4
Ludhiána	1878	73 3	29 2	72 8	54 1
	1879	73 8	25 9	79 8	49 3
Simla	1878	76 1	34 3	91 4	79 6
	1879	78 6	43 4	92 4	88 2
Jullundur	1878	70 5	29 8	66 [illegible]	73 1
	1879	71 8	26 7	67 8	52 6
Hoshiárpur	1878	73 3	15 [illegible]	43 4	31 7
	1879	68 3	16 6	52 2	31 4
Kangra	1878	80 5	37 [illegible]	81 1	78 5
	1879	84 3	35 4	87 3	66 1
Amritsar	1878	66 6	19 5	66 1	41 5
	1879	69 2	16 7	68 1	39 6
Gurdáspur	1878	71 1	21 2	66 2	39 8
	1879	71 6	19 8	59 9	35 9
Siálkot	1878	77 8	18 9	67 2	34 8
	1879	75 4	16 6	63 1	33 8
Lahore	1878	72 1	29 3	81 9	60 9
	1879	71 6	23 3	81 0	56 6
Gujránwála	1878	82 1	12 9	85 1	44 8
	1879	78 9	13 2	77 4	47 7
Ferozepore	1878	71 9	27 3	73 7	46 1
	1879	75 1	26 4	76 1	47 0
Rawalpindi	1878	76 5	31 3	70 2	50 6
	1879	76 1	27 0	72 5	50 3
Jhelum	1878	72 0	36 3	75 9	54 1
	1879	76 5	40 0	88 1	60 1
Gujrat	1878	70 5	21 8	53 6	39 7
	1879	65 4	18 9	46 6	34 1
Shahpur	1878	70 0	47 1	83 6	58 4
	1879	73 4	37 4	71 5	59 6
Mooltan	1878	72 8	38 2	82 7	64 4
	1879	72 3	33 5	79 8	60 8
Jhang	1878	71 2	27 1	45 6	45 8
	1879	66 3	28 8	50 3	42 8
Montgomery	1878	73 8	41 1	64 7	59 5
	1879	73 5	28 4	71 1	58 6
Muzaffargarh	1878	72 1	42 7	67 9	56 2
	1879	71 7	43 7	78 3	64 1
Dera Ismail Khan	1878	69 7	42 6	88 2	62 0
	1879	68 5	48 2	82 3	68 4
Dera Ghází Khan	1878	75 7	51 6	80 4	66 4
	1879	71 7	55 4	76 7	68 7
Bannu	1878	68 6	50 3	82 0	69 0
	1879	75 3	53 8	83 9	76 4
Peshâwar	1878	67 6	55 3	82 8	73 6
	1879	63 4	46 4	78 5	69 1
Hazárá	1878	59 9	24 5	56 9	41 1
	1879	58 9	23 8	51 3	37 8
Kohát	1878	61 9	63 2	65 3	58 3
	1879	45 2	67 3	73 4	64 3
Total	1878	71 1	29 5	74 2	53 4
	1879	71 7	27 2	76 2	53 1

The provincial percentages were much the same for the two years

Percentage of convictions in non bailable cases

38 It was noted in last year's report that the proportion of convictions in non bailable cases in the Kohát District had fallen from 36 9 in 1877 to 31 9 in 1878 Although it has risen in the year under notice to 45 2 it is still far below the provincial average That average is most largely exceeded in the Kángra District

Percentage of convictions in bailable cases under the Indian Penal Code.

39 The Gujránwála and Hoshiárpur Districts are again conspicuous for the small percentage of successful prosecutions in bailable offences under the Indian Penal Code, although in both districts there is a marked advance on the results of 1878 Assault cases are exceptionally numerous in these districts and the number of withdrawals and dismissals are unusually large The Kohát District shows as last year, the largest percentage of convictions for this class of offence

Percentage in cases tried under the Criminal Procedure Code and Local and Special Laws

40 Under the Criminal Procedure Code and Local and Special Laws the percentage of convictions is smallest in the Gujrat District (46 6) It is also considerably lower than the provincial average in the Jhang and Hazárá Districts (50 3 and 51 3 per cent respectively)

In the Gujrat and Jhang Districts prosecutions failed chiefly in cases of maintenance of wives and children and in those under the Cattle Trespass Act In Hazára the failures were chiefly in cases of maintenance and under the Forest Law

Results of prosecutions for assault and using criminal force

41 The statement which follows exhibits certain details regarding prosecutions in cases of assault and using criminal force The totals of 1878 are added for the sake of comparison —

District		Total number of persons disposed of	Percentage of persons: Discharged in consequence of non appearance of complainant or withdrawal of complaint	Acquitted and discharged	Convicted
Delhi		768	56 8	30 8	12 4
	Gurgaon	605	62 7	22 3	15 0
	Karnál	209	32 5	39 7	27 8
Hissar		661	55 4	26 8	17 8
	Rohtak	276	51 1	34 4	14 5
	Sirsa	171	54 2	28 1	18 7
Umballa		1 200	78 0	8 7	13 3
	Ludhiána	2 018	68 8	17 5	13 7
	Simla	87	24 2	33 3	42 5
Jullundur		1 361	64 4	17 4	18 2
	Hoshiárpur	2 548	64 1	25 2	10 7
	Kángra	1 113	54 1	24 7	21 2
Amritsar		3 919	57 9	30 3	13 8
	Gurdáspur	3 424	63 4	20 2	16 4
	Siálkot	2 880	76 4	10 7	12 9
Lahore		2 070	51 0	35 0	14 0
	Gujránwala	2 266	81 3	12 8	5 9
	Ferozepore	1 462	18 1	65 5	16 4
Rawalpindi		1 298	57 4	27 1	15 5
	Jhelum	1 590	50 0	2 0	19 0
	Gujrat	1 336	73 0	16 3	10 7
	Shahpur	473	45 4	34 1	20 3
Multan		936	54 5	30 9	14 6
	Jhang	498	59 2	30 9	9 9
	Montgomery	226	62 4	21 2	16 4
	Muzaffargarh	314	51 9	22 3	25 8
Dera Ismaíl Khan		462	43 3	33 6	23 1
	Dera Ghází Khan	374	28 0	26 5	50 5
	Bannu	468	44 7	36 6	28 7
Peshávar		450	25 6	49 5	24 9
	Hazara	1 100	76 6	17 5	5 9
	Kohat	127	6 3	64 6	29 1
Total	1879	38 819	60 1	24 9	15 0
	1878	37 843	61 9	21 0	17 1

Results commented on

42 The noticeable features in the above table are the decrease in the proportion of cases in which complaints were withdrawn or dismissed The proportion of acquittals it will be observed has increased

Pending files.

43 Of the 1,844 persons noted in para 37 as awaiting trial at the end of the year 380 were charged with non-bailable and 1 464 with bailable offences The heaviest pending file (149 cases involving 230 persons) was in the Gurdáspur District

Oldest pending cases

44 The oldest pending case was in the same district. It dates from the 5th February 1879 The delay in its disposal is explained to have been due to the absconding of the accused

The Kohát District carried on its file at the close of the year a case dating from the 7th April and the Lahore District one from the 11th August In the former district the case is said to be one under the Frontier Rules, and was disposed of early in the current year In the latter the reason assigned is that the accused absconded and the case was pending in connection with the attachment and sale of his property

Average duration

45 The average duration in Magistrates Courts was 8 days, as in 1878 and the five preceding years

The provincial average was considerably exceeded in the following Districts —

Hoshiárpur		13 days
Amritsar	.	14 „
Gurdáspur		15
Siálkot		12
Gujrat	..	13 „
Jhang		14 „
Montgomery	.	12 „

All these districts were noted for their high averages in last year's report

Excluding Simla (2 days) where the circumstances are exceptional, the lowest average duration was in the Sirsa and Gujránwála Districts (3 days in each)

Average duration of cases disposed of under Section 36 Criminal Procedure Code

46 The average duration of cases disposed of by Magistrates of Districts under Section 36 Criminal Procedure Code was 14 days This average has been exceeded in the following districts —

Rohtak	.		90 days.
Ludhiána	.	.	36 „
Mooltan		.	21 „
Gurdáspur	..	.	20 „
Kángra Siálkot		...	19

Kohát (3 days), Gujrat (3) Hissar (4) and Jhelum (5)

It was lowest in those marginally noted

The high average in the Rohtak District is explained to be due to a number of cases requiring exceptional and local inquiry The Deputy Commissioner of Ludhiána states, that his high average was chiefly caused by references to other districts regarding the previous convictions of persons under trial before him The long distances to be travelled by witnesses in the Mooltan District delayed the disposal of cases there The high averages in the Gurdáspur and Siálkot Districts are not noticed in the local reports

Proportion to population of persons tried for non bailable offences

47 The table annexed shows the proportion of persons per mille of the population in each division tried during the past 3 years for non-bailable offences —

Division.	1877.	1878.	1879
Mooltan per 1,000 of population.	1·8	2·3	2·5
Peshawar "	1·7	2·5	2·4
Derajat "	1·8	1·6	2·3
Lahore "	1·6	2·0	2·1
Rawalpindi "	1·2	1·5	1·2
Delhi "	1·3	2·1	1·4
Amritsar "	1·3	1·6	1·4
Hissar "	1·6	1·8	1·3
Umballa "	1·3	1·7	1·3
Jullundur "	·8	1·0	1·0
Provincial percentage ..	1·6	1·8	1·6

The increase is most marked in the Derajat Division, and the decrease in that of Delhi.

D.—Agency for disposal of Criminal Work.

By what agency cases were disposed of.

48. The Criminal Courts disposed of 81,914 original cases in 1879 as compared with 81,347 in 1878, and 76,228 in 1877.

The following table exhibits some details of disposal:—

Courts.	Year.	Number.	Percentage.
By the Chief Court	1878	1	·0
	1879	1	·0
By Courts of Session .	1878	434	·5
	1879	389	·5
By Magistrates of Districts	1878	3,792	4·6
	1879	4,012	4·9
By other Stipendiary Magistrates	1878	63,678	78·3
	1879	64,159	78·3
By Honorary Magistrates	1878	13,442	16·6
	1879	13,353	16·3
Total ...	1878	81,347	...
	1879	81,914	...

Distribution of work in districts.

49. The annexed statement shows the disposals by different classes of Magistrates during the year under report as compared with the 2 years immediately preceding. Deputy Commissioners' cases include those decided under enhanced powers, (Section 36 Criminal Procedure Code) and disposals with the aid of Councils of Elders in Frontier Districts. Extra-Assistant Commissioners, as before, disposed of the bulk of the cases. The increase shown against Tahsildárs and Cantonment Magistrates arises from the increase in the number of petty bailable

offences, chiefly nuisance cases, which are either exclusively or most conveniently dealt with by such agency.—

Class of Courts.	Cases disposed of.			Percentage.			Average number of cases decided by officers of each grade.		
	1877.	1878.	1879.	1877.	1878.	1879.	1877.	1878.	1879.
Deputy Commissioners ...	3,789	3,792	4 012	4·9	4 7	4·9	118	118	125
Judicial Assistants .	2,390	3,124	2,892	3·2	3 9	3 6	114	149	140
Assistant Commissioners ...	7,408	6,708	6,252	9 9	8 4	7·7	114	106	184
Extra Assistant Commissioners	19,057	23,257	23,541	25·2	28 7	29·0	188	230	233
Tahsildárs ..	21,068	21,778	22,359	27·7	26·9	27 4	175	181	186
Naib-Tahsildárs with judicial powers. ...	4,922	4,600	3,565	6·5	5·7	4·4	96	131	102
Munsiffs ..	1	6	52	...	...	·1	1	1	4
Cantonment Magistrates ...	3,795	4,109	4,706	5·0	5·1	5·8	474	513	588
Judges of Small Cause Courts .	4	36	101	...	...	·1	2	36	101
Canal officers ...	622	324	560	·9	·4	·7	56	27	51
Superintendent of the Cattle Farm at Hissar .	.	...	9	...	...	·0	...	...	9
Jail officers ...		...	127	...	...	·2	...	...	127
Boards of Honorary Magistrates	7,941	8,111	7,654	10 4	10 0	9·1	611	624	589
Jagirdár Magistrates ..	2,073	2,032	2,869	2·7	2·5	3 5	99	56	80
Honorary Magistrates sitting alone	2,718	2,975	2,880	3 6	3·7	3·5	185	114	109

Work of certain Judicial Assistants.

50. The following are the Districts in which Judicial Assistants disposed of the largest amount of original criminal work :—

District.	Name.	Number of cases disposed of.
Karnál ...	Syad Hadi Husain Khan, in 90 days ...	62
	Behari Lal, in 221 days ...	185
Rohtak ...	Rai Bakhtawar Lal, in 350 days ...	214
Hoshiárpur ...	Mr. Donald ...	222
Gurdáspur ...	Pandit Moti Lal, in 306 days ...	211
Gujrat ...	Ghulam Nabi Khan ...	379
Shahpur ...	Zulfiqar Ali ...	234
Dera Ghází Khan ...	Mir Nisar Ali, in 350 days ...	204

Most of these officers were noticed in last year's report for their activity in this direction.

Work disposed of by Tahsildárs.

51. The average number of cases decided by each Tahsíldár has risen from 181 in 1878 to 186 in 1879. The provincial average has been exceeded in the following districts :—

Ludhiána	283
Hoshiárpur	291
Amritsar	298
Siálkot	276
Lahore	325
Rawalpindi	280
Jhelum	377

The Judges have not fixed any limit, as has been done in civil cases, of criminal work to be disposed of by Tahsíldárs, leaving this to be regulated by district officers according to local circumstances, subject only to the condition that it shall be so arranged as to leave these officers ample time for the disposal of other business. For the districts of Siálkot, Rawalpindi and Jhang especially they have made ample allowances for local reasons which have been brought to their notice; but even in those districts (with the exception of Jhang), and in certain others where no such exceptional circumstances have been shown to exist, the letter, as well as the spirit, of their instructions has seemingly been disregarded. This will appear from the following table :—

District.	Tahsíl.	Number of cases disposed of during the year.
Ludhiána	Jagraon	498
Hoshiárpur	Dasúya	456
Amritsar	Tarn Táran	529
Siálkot	Ráh	550
	Daska	430
Rawalpindi	Rawalpindi	451
	Fáttahjang	538
Jhelum	Jhelum	455
	Chakwál	431
Gujrat	Gujrat	450

The Deputy Commissioners of these districts explain that the cases are, for the most part, nuisances and assaults which do not occupy much of the Tahsíldárs' time. But even such cases should be jealously watched by District Officers in order to save Tahsíldárs from an overburden of work.

Boards of Honorary Magistrates.

52. The number of cases of which Boards of Honorary and Municipal Magistrates disposed during 1879, was 7,654 as compared with 8,111 in the preceding year. The following statement exhibits the working of each Board during the year :—

Board.	Powers.	Number of cases disposed of.
Delhi	2nd Class ...	1,141
Sonepat	3rd " ...	53
Rewári	3rd " ...	186
Rohtak	3rd " ...	135
Jullundur	2nd " ...	486
Amritsar	2nd " ...	1,726
Batála	2nd " ...	258
Baddoke	3rd " ...	143
Lahore	2nd " ...	628
Gujránwála	2nd " ...	561
Wazirabad	2nd " ...	313
Ferozepore	3rd " ...	89
Mooltan	3rd " ...	920
Dera Ismail Khan	2nd " ...	47
Dera Gházi Khan	3rd " ...	98
Peshávar	3rd " ...	870
Total	...	7,654

A falling off in disposals is seen in the case of 9 Boards, chiefly in those at Delhi, Amritsar, Lahore and Mooltan. All of these Boards have, however, materially assisted the District Courts during 1879, and in a manner which has received the favorable recognition of a majority of the Chief Magistrates of the Districts named. The Deputy Commissioner of Mooltan, however, adheres to the opinion expressed by him in his preceding year's report.

The remaining Boards, with the exception of that at Batála, are reported to have worked fairly. The Ferozepore Board is a new one which worked for about 8½ months only; but the character of its working has not been noticed by the Deputy Commissioner.

Honorary Magistrates sitting alone.

53. Honorary Jagirdar Magistrates sitting alone disposed of 5,099 cases, or 7 per cent of the entire disposals of the year. The names and disposals of the most energetic of these officers is given in the following table :—

District.	Name of Magistrate.	Powers.	Number of cases disposed of.
Ludhiána	Shahzada Nadir	2nd Class.	739
Amritsar ...	Sirdar Ajit Singh	1st „	571
	Raja Surat Singh	2nd „	455
Gurdáspur	Diwan Narinjan Das	2nd „	253
Ferozepore . ..	Sodhi Man Singh	1st „	232
Kohát	Nawab Sir Khwaja Mohammad Khan K. C. S. I.	2nd „	214
Hoshiárpur	Bedi Sujan Singh	2nd „	184
Gujránwála	Sirdar Jhanda Singh	1st „	177
Kángra	Raja Amar Chánd	1st „	167
Siálkot	Sirdar Dyal Singh	2nd „	164
Dera Ghazi Khan... ...	Nawab Imam Baksh Khan	1st „	161

Results of trials in the different classes of courts.

54. In the subjoined statement is shown the number of persons tried in Magistrates' Courts of various denominations, together with the percentage of convictions and committals. The corresponding results for 1878 are given for purposes of comparison. The variations have already been, or will later on be, noticed, and need not therefore be specially commented on here.

Class of Court.		Number of persons disposed of.		Percentage of persons convicted and committed.	
		1878.	1879.	1878.	1879.
Deputy Commissioners ...		6,952	7,659	66	67
Judicial Assistants ...	Europeans	2,220	2,989	48	60
	Natives	3,506	2,863	54	59
Assistant Commissioners ...		12,416	11,983	63	64
Extra Assistant Commissioners .	Europeans	6,171	5,464	48	55
	Natives	35 718	37,852	53	58
Tahsildárs ...		46,896	48,793	52	49
Naib Tahsildárs ..		11,523	8,256	32	36
Munsiffs ..		6	56	100	94
Cantonment Magistrates ..		7,711	7,347	80	82
Judges of Small Cause Courts ...		67	177	78	58
Canal Officers .		850	1,467	69	73
Cattle Farm Officer, Hissar ...		..	10	...	100
Jail Officers ..		..	127	...	100
Boards of Honorary Magistrates ...		14,716	14,268	51	48
Jagirdar Magistrates		3,999	5,145	47	51
Honorary Magistrates sitting alone ...		5,443	6,302	56	45
Total ..		157,694	160,698	53	53

Distribution of work between grades of Magistrates.

55. Magistrates in the exercise of ordinary magisterial powers disposed of 80,228 cases. This number was distributed among the Magistrates of the three classes in the following proportions :—

Class.	Number of cases.	Percentage.
Magistrates first class	37,101	47
Magistrates second class	32,875	40
Magistrates third class	10,252	13
Total	80,228	...

Compared with the results of 1878, the proportion of work disposed of by Magistrate of the 2nd class has increased by 3 per cent. in 1879. In 1878, however, the proportion fell 2 per cent. below that of 1877. The increase in the year under report may be attributed to the preponderance of bailable crime which is most easily disposed of by Magistrates of this class.

Distribution between European and Native agency.

56. European Magistrates disposed of 25 per cent. and Native Magistrates of 75 per cent. of the cases disposed of in District Courts. In 1878 the proportions were 24·2 and 75·8 respectively.

Work performed by Deputy Commissioners.

57. Deputy Commissioners disposed of 4,012 original criminal cases during 1879, an increase of 220 over the results of 1878.

The following statement gives the details :—

District.		Under his enhanced Powers.	Under his Magisterial powers.	With the assistance of a Council of Elders.	Under his appellate powers.
Delhi ...	...	23	50	...	39
Gurgaon ...	...	20	113	...	65
Karnál ...	...	14	82	...	20
Hissar ...	...	31	144	...	25
Rohtak ...	...	18	55	...	53
Sirsa ...	...	13	120	...	24
Umballa ...	...	14	45	...	29
Ludhiána ...	...	50	86	...	98
Simla ...	...	7	54	...	4
Jullundur ...	...	10	41	...	72
Hoshiárpur ...	...	24	34	...	66
Kángra ...	...	15	14	...	4
Amritsar ...	...	57	259	...	184
Gurdáspur ...	...	17	54	...	26
Siálkot ...	...	19	85	...	73
Lahore ...	...	47	72	...	96
Gujránwála ...	...	23	200	...	17
Ferozepore ...	...	44	110	...	74
Rawalpindi ...	...	27	42	...	102
Jhelum ...	...	28	139	...	73
Gujrat ...	...	31	169	...	64
Shahpur ...	...	12	16	...	37
Mooltan ...	...	42	88	...	58
Jhang ...	...	14	59	...	108
Montgomery ...	...	9	63	...	35
Muzaffargarh ...	...	28	79	...	37
Dera Ismail Khan ...	...	42	138	81	14
Dera Ghází Khan ...	...	36	121	33	11
Bannu ...	...	6	33	108	18
Pesháwar ...	...	9	58	113	12
Hazárá ...	...	9	40	83	25
Kohát ...	...	3	58	127	8
Total 1879	...	751	2,716	545	1,571
Total 1878	...	910	2,364	518	1,508

58. The few disposals by the Deputy Commissioner of Kángra both in the original and appellate branches, deserve notice. Regarding the former an explanation is awaited, regarding the latter, one has been furnished (paragraph 89 of this report).

59. There appears to be a decrease in the number of cases disposed of by Deputy Commissioners under their enhanced powers. But the difference is more apparent than real, and arises merely from a change in the system of record. The figures of previous years without regard of the result of the trial, include all such cases triable exclusively by the Court of Session as Deputy Commissioners invested with powers under Section 36, Criminal Procedure Code, could themselves have disposed of. The Judges having, however, held that a Deputy Commissioner could not be considered to have exercised his special powers in cases where he discharged the accused, or where, as in the trial of habitual offenders, he showed by his sentence that he had not exercised them, a different system of entry has been adopted. Thus the 751 cases shown above, represent the actual number of cases in which convictions and acquittals were recorded by Deputy Commissioners when exercising their enhanced powers, and not as formerly, a proportion in which they might have exercised those powers but did not.

E.—Special Jurisdiction.

Section 36, Criminal Procedure Code.

60. As already shown, Deputy Commissioners disposed of 751 cases in the exercise of their powers under Section 36, Criminal Procedure Code. Of these 479 were cases triable exclusively by the Court of Session, and the remaining 272 were cases in which the Magistrates' ordinary powers of punishment were exceeded.

The Deputy Commissioners of Ludhiána, (59 cases), Amritsar (57 cases), and Lahore (47 cases), exercised these powers most freely.

They were most sparingly used in the Frontier Districts with the exception of Dera Ismail Khan (42 cases). The powers have not been conferred throughout the year on the officers in charge of certain districts.

Details of disposal.

61. The number of persons disposed of by Deputy Commissioners under their enhanced powers was 1,396 Of these 268 or 19 per cent. were acquitted, and 1,128 or 81 per cent were convicted. The sentences of 329 persons exceeded 3 years; and in the cases of 287 of these persons the sentence passed was confirmed by Sessions Judges. The sentences passed on 19 persons were modified, and those of 7 annulled by the same authorities, leaving 8 persons at the end of the year whose cases were pending before Sessions Judges.

The districts in which the percentage of acquittals was highest are shown in the following table :—

District.	Number of persons disposed of	Number acquitted	Percentage of acquittals.
Rohtak	31	14	45
Shahpur	17	7	41
Gujrat	32	15	33

Summary trials.

62. The number of persons and cases tried summarily in each district during the year is shown in the subjoined statement :—

District.	Summary jurisdiction. Persons. Acquitted, discharged, &c.	Convicted.	Total number of cases disposed of.
Delhi	293	330	433
Gurgaon	21	67	32
Karnál .. .	11	22	22
Hissar	...	27	17
Rohtak	...	.	
Sirsa	10	62	46
Umballa	170	521	365
Ludhiána	47	123	129
Simla	18	1,451	1,218
Jullundur	593	1,004	605
Hoshiárpur	31	46	54
Kángra	13	52	31
Amritsar	676	943	903
Gurdaspur	361	252	251
Siálkot	192	105	127
Lahore	473	1,347	1,010
Gujránwála	223	387	272
Ferozepore ...	30	19	30
Rawalpindi	128	1,676	1,296
Jhelum	22	127	111
Gujrat	45	103	86
Shahpur ..	23	48	75
Moolían	204	788	617
Jhang	40	89	96
Montgomery	16	46	48
Muzaffargarh	1	11	6
Dera Ismail Khan ..	50	68	61
Dera Ghází Khan . .	7	35	26
Bannu	...	2	2
Peshawar	19	52	50
Hazárá	..	...	.
Kohát	3	21	15
Total { 1879 ...	3,720	9,834	8,121
Total { 1878 ...	3,515	8,883	7,485

The increase, amounting to 9 per cent. in the number of cases so disposed of is the natural result of the large increase in petty crimes.

It is noteworthy that this procedure has not been shown as having been adopted in the Rohtak District since Act X. of 1872 came into force. The matter is under enquiry. The procedure has not been resorted to in the Hazárá District during the year under report, and has been very sparingly used in the Bannu and Muzaffargarh Districts.

By what Courts exercised.

63. Particulars of the distribution of cases summarily disposed of among the different classes of Courts are as under :—

		1878.	1879.
Magistrates of Districts	...	674	437
Cantonment Magistrates	...	2,523	2,865
Boards of Magistrates	...	1,556	2,709
Other Officers	...	2,732	2,113

The most striking feature in the above figures is the large increase in the number of cases tried summarily by Cantonment Magistrates and Boards of Magistrates. The character of crime during the year, doubtless accounts for this increase. The largest rise is in the case of the Jullundur Board of Honorary Magistrates which in 1878 tried no case summarily, while in 1879 it disposed of 482 cases under this procedure, showing that it adopted summary trial since the question, as alluded to in para 64 of last year's Provincial Report, was raised.

64. In paragraph 12 of his review of last year's report His Honor directed the Judges' attention to the large proportion of cases summarily disposed of by Cantonment Magistrates. The majority of these cases are believed by the Judges to consist of prosecutions for petty offences under the Cantonment Act where the commission of the offence is at once admitted and is followed by a light fine. Thus, the Cantonment Magistrates of Umballa, Meean Meer, Mooltan and Peshawar respectively disposed summarily of 254, 347, 534 and 50 cases; but probably the bulk of the 241, 304, 476 and 50 cases under the Cantonment Act with which these officers respectively dealt are included in the larger figures. Any flagrant misuse of their powers by Cantonment Magistrates, the Judges have reason for believing, does not escape notice.

Jurisdiction over European British subjects.

65. European British subjects to the number of 194 were brought before the Criminal Courts during 1879. All of these persons were disposed of by Magisterial Courts, with the exception of 2, one of whom was committed to the Court of Session and one to the Chief Court. Of the remainder 59 were acquitted or discharged and 133 convicted.

Punishments inflicted on European British subjects

66 Of the 133 persons of this class convicted and punished by Magistrates, 5 were sentenced to the maximum of 3 months rigorous imprisonment, 7 to imprisonment for 2 months, and 9 to imprisonment for 1 month. Security was demanded under Section 491, Criminal Procedure Code, from 6 persons, and an order for maintenance under Section 536, Criminal Procedure Code was passed against one person. The remainder were sentenced to short periods of imprisonment, or to pay fines varying in amount. The largest single fine inflicted was one of Rs 400

Cases disposed of under Frontier Rules.

67. The following comparative table shows the working of the Frontier Rules during the years 1878 and 1879 :—

District	Regulation I of 1872, Section 3. Villages fined for suppression of evidence or harbouring criminals.		Regulation I of 1872, Section 4. Cases in which persons were reported on account of quarrels likely to lead to bloodshed		Regulation I of 1872, Section 8. Adultery.		Regulation IV of 1873, Section 2 Reference to Councils of Elders.		Regulation VII of 1873, Section 6. Disobeying a prohibition to cross the Frontier.	
	1878.	1879.	1878	1879	1878	1879	1878	1879	1878	1879
Dera Ismail Khan ...	...	1	.	.	5	5	27	81	...	
Dera Ghází Khan ...	2	3	1		6	2	23	33	1	...
Bannu .			...	...	2	1	78	108	...	...
Peshawar ...	6	3	12	...	..	1	150	113	...	...
Hazára ...	1	...	.	5	...	..	45	82	...	..
Kohát		9	...	...	...	...	195	127	..	..
TOTAL	9	16	13	5	13	9	518	545	1	.

68 Councils of Elders dealt with 1,422 persons in the above 545 cases Of these 820, or 57 per cent. of the persons tried, were convicted, being an advance of 6 per cent. on the proportion of convictions in 1878.

Results of trials by Councils of Elders

Convictions in the different districts during the two years were in the proportions noted below :—

	1878.	1879.
	Per cent.	*Per cent.*
Dera Ismail Khan	53	71
Dera Ghází Khan	70	63
Bannu	43	57
Pesháwar	67	66
Hazárá	40	53
Kohát	43	43

69. The amount of fines imposed by Councils of Elders in each of the Frontier Districts, is given in the following table, together with the amount awarded as compensation to injured persons :—

Fines imposed under Frontier Rules

	Rs.	*Amount ordered in compensation.* Rs.
Dera Ismail Khan ...	2,762	2,762
Dera Ghází Khan ...	3,332	2,982
Bannu ...	5,957	5,390
Pesháwar ...	18,105	7,593
Hazárá ...	1,787	1,736
Kohát ...	11,499	5,194
Total ...	43,442	25,657

In addition to the above, a fine of Rs. 1,500 was inflicted on one village in the Dera Ismail Khan District under Section 3 of Regulation 1 of 1872. In the Dera Ghází Khan District, 3 villages were fined, but the amount is not stated by the Deputy Commissioner in his report. In Hazárá one village, and in Pesháwar 4 villages, were so punished, the fines, in the former amounting to Rs. 200, and in the latter to Rs. 1,043. This matter is not noticed in the Bannu and Kohát reports.

70.. The Commissioner of Pesháwar continues to think, that the rules might be worked somewhat more freely in the Hazárá District. He considers that they are very usefully worked in the Pesháwar and Kohát Districts, and to them he attributes the diminution of crime in Pesháwar. The Commissioner of the Deraját Division notices with satisfaction, the use that has been made of the rules in the Dera Ismail Khan and Bannu Districts; and he considers that altogether there can be little question that they operate beneficially in deterring criminals.

Opinions on the working of the rules

71. No case falling under the Frontier Murderous Outrages Act occurred during the year.

F—Original work of Courts of Session

Details of work in Courts of Session

72. Full particulars of the original work of Sessions Courts will be found in the following statement, the totals of 1878 being added for comparison —

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
	For disposal.								Disposed of												
	Pending from 1878		Committed to the Sessions during the year		Received by transfer		Total						Total		Pending at end of the year.						
Division	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases	Persons.	Convicted and referred to Chief Court under Sec. 297 Criminal Procedure Code.	Convicted.	Acquitted.	Died escaped or transferred or trial postponed in consequence of insanity	Cases.	Persons.	Cases	Persons.	Percentage of persons convicted.	Number of cases pending over 6 months.	Average duration.	Number of witnesses who attended.	Date of oldest case pending
Delhi	2	6	24	38			26	44	7	19	18		26	44			50 1		51	295	
Hissar	1	5	10	45			11	46	2	25	17		10	44	1	4	61 3		57	94	2nd Decr 1879
Umballa	2	4	21	35			23	39	16	14	4	2	22	38	1	1	54		32	244	12th " "
Jullundur	3	5	15	20			18	25	7	14	3		17	24	1	1	87 5		45	158	4th " "
Amritsar			24	41			24	41	7	24	5		22	36	2	5	86 1		42	289	6th " "
Lahore	3	6	35	55			38	61	6	33	17		34	56	4	5	69 6		48	364	6th Novr "
Rawalpindi	16	28	60	130			76	158	29	71	49	3	73	152	2	6	65 2		68	849	10th Decr "
Multan	4	6	27	52			31	58	4	42	7		28	53	3	5	86 8		44	379	21st Novr "
Deraját	1	2	46	82			47	84	13	48	18	5	42	79	5	5	70 9		57	549	17th " "
Peshawar	5	7	118	245			123	252	15	121	99	2	115	237	8	15	57 4		28	1 008	8th "
Total 1879	37	63	379	741			416	810	108	406	28	12	38	763	27	47	67 4		44	4,314	6th Novr 1879
Total 1878	36	58	435	776			471	834	126	361	274	4	434	63	37	69	63 7	2	58	5 327	17th Sept 18 8

Increase and decrease

73 The decrease amounting to 55 cases is general except in the Deraját and Lahore Courts In these Divisions there has been an increase of 10 and 7 cases, respectively

Details of disposal

74 The total of 810 persons for disposal included 69 awaiting trial at the end of 1878 Of these 810 persons, 763 or 94 per cent were disposed of in the following manner —

	Number 1879	*Percentage* 1879	*Percentage* 1878
Convicted and sentenced to death	108	14 1	16 5
Convicted and sentenced otherwise	406	53 2	47 2
Acquitted	237	31 1	35 8
Died escaped or transferred or trial postponed in consequence of insanity	12	1 6	5

The percentage of convictions has risen from 63 7 to 67 4 It is highest in the Jullundur (87 5) and Mooltan (86 8) Courts The Peshawar Court shows the lowest percentage It has risen in the Derajat Court from 57 1 to 70 9, and in that of Lahore from 57 8 to 69 6

Pending files.

75 There were 27 cases involving 47 persons pending at the end of 1879, as compared with 37 cases and 69 persons at the close of the previous year The largest number of pending cases (8) was in the Peshawar Court No case awaited disposal in the Delhi Division

Average duration

76 The average duration of cases has decreased from 58 to 44 days It was lowest (28 days) in the Pesháwar Court and highest in that of Rawalpindi (68 days) The reduction in the averages of the Delhi and Mooltan Courts from 83 to 52 and from 93 to 44 days, respectively, is satisfactory No case of above two months' duration remained on the files of any Sessions Court at the end of the year

Assessors

77 Assessors were employed in the disposal of 368 cases; in 327 of which the presiding judge concurred in the opinion of the assessors or of a majority of them. The number of assessors usually employed was 3, throughout the Province, except in the Pesháwar Sessions Division, where the ordinary number was 2

Jury trials

78. Jurors were employed in 2 cases, of which one was heard in the Chief Court and the other in the Umballa Sessions Court. The presiding judge approved of the verdict in the former case; in the latter he dissented.

Jurisdiction over European British subjects

79. Only one European British subject was convicted by a Court of Session during the year. He was sentenced by the Commissioner of Amritsar, under Sections 380 and 414 Indian Penal Code, to 6 months' rigorous imprisonment and Rs. 20 fine.

G.—WITNESSES.

Attendance of witnesses.

80. The total number of witnesses and the proportions in which they attended the different classes of Courts in the year under report are given below:—

District Courts	...	...	...	206,538
Sessions Courts	...	...	...	4,314
Chief Court	...	...	...	8
		Total	...	210,860

This shows a decrease of 6,623 from the number attending in the previous year, due to the difference in the character of the crime during the 2 years. Fewer witnesses are produced for the prosecution as well as for the defence in petty cases.

Detention of witnesses

81. The following comparative table exhibits the periods for which witnesses were detained in District Courts during the 2 years 1878 and 1879:—

Periods.	1878.		1879.	
	Number.	Percentage.	Number.	Percentage.
Discharged after one day's attendance	189,724	87	182,429	88
Discharged on the second day	20,615	10	17,740	9
Discharged on the third day ...	4,874	2	4,530	2
Detained for more than three days ..	2,270	1	1,839	1
Total .	217,483	...	206,538	...

It is satisfactory to find that a larger percentage of witnesses has been discharged after one day's attendance.

Detentions over three days.

82 A detail of the detentions over 3 days is annexed.

District.	Four days.	Five days.	6 to 8 days.	9 to 15 days
Delhi ...	60	16	7	..
Gurgaon	22		9	..
Karnál ...	8	2	4	...
Hissar ...	4		8	...
Rohtak ...	78	38	...	...
Umballa .	14			.
Ludhiána ...	76			...
Jullundur ...	17		...	...
Hoshiárpur	6	...	...	...
Kángra ...	38	5	...	6
Amritsar .	41	10	8	..
Gurdáspur	6			...
Siálkot .	11	18		
Lahore	53	...	...	...
Gujránwála ...	64	5	8	
Ferozepore ...	21	...		
Rawalpindi	108	51	14	
Jhelum ...	47	13	21	...
Gujrat ...	10	5	...	...
Shahpur .	71	51	17	3
Mooltan ...	8		...	..
Jhang .	130	38	4	...
Montgomery ...	43	11	14	
Muzaffargarh	15	5	.	
Dera Ismail Khan	20	6	41	7
Bannu	65	6	...	6
Pesháwar ...	70	76	58	10
Hazara ...	102	.	...	...
Kohát	83			

Ten witnesses during 1878 were detained for 16 days. It will be observed that the limit of 15 days has not been exceeded in the year under review. The long detentions in the districts of Peshâwar, Jhang and Rawalpindi are to be regretted.

The Deputy Commissioner of Jhang explains, that it is a common thing for cases in that district to be sent up with about 20 to 30 witnesses, and these heavy cases cannot be got through in less than 4 or 5 days, except by giving up all other work which is generally impossible. From the explanations furnished by District Officers generally the delays do not appear to have been in all cases unavoidable.

Expenses of witnesses.

83 The following statement gives, for the District Courts only of each district, the number of witnesses dieted and the amount expended in diet money :—

Districts.		Number of witnesses examined.	Actual number of witnesses dieted.	No of witnesses dieted by		Amount of diet money paid.			Average cost of each witness dieted						Percentage of witnesses dieted to those examined.
				Police.	Magistrate.	By Police.	By Magistrate.	Total.	By Police.			By Magistrate.			
									Rs	A.	P	Rs.	A.	P	
Delhi		9,020	1,130	575	626	109	294	403	0	2	0	0	6	10	12 5
Gurgaon		6,348	2,785	1,762	1,417	454	622	1,076	0	4	1	0	7	0	43·9
Karnál		4,209	1,385	1,125	291	243	120	363	0	3	6	0	6	7	32·9
Hissar		5,339	958	261	950	34	288	322	0	2	1	0	4	10	17·9
Rohtak		6,473	1,844	1,404	1,192	273	447	720	0	3	1	0	6	0	28·5
Sirsa		2,406	584	477	321	76	57	133	0	2	7	0	2	10	24·3
Umballa .. .		7,452	4,416	2,128	2,348	782	683	1,465	0	5	10	0	4	8	59·3
Ludhiána		5,489	2,722	1,422	2,722	639	935	1,574	0	7	2	0	5	6	49·6
Simla		2,882	128	...	128	0	88	88	0	0	0	0	10	11	4·4
Jullundur		7,742	2,413	1,021	2,329	266	851	1,117	0	4	2	0	5	10	2 0
Hoshiárpur		6,983	2,867	2,342	1,754	470	455	925	0	3	3	0	4	2	41·1
Kángra		4,205	1,212	714	507	147	212	359	0	3	3	0	6	8	28·8
Amritsar		16,355	4,849	2,919	3,260	407	832	1,239	0	2	3	0	4	1	29·6
Gurdáspur		9,730	3,515	2,117	2,828	375	850	1,225	0	2	10	0	4	10	36·1
Siálkot		7,465	3,132	2,853	1,081	588	405	993	0	3	0	0	6	0	42·0
Lahore		12,015	5,152	3,340	2,386	755	1,069	1,824	0	3	3	0	5	0	42 9
Gujránwála		9,188	2,988	2,506	426	543	143	686	0	3	4	0	5	4	32·5
Ferozepore ...		4,828	3,778	2,815	3,453	461	765	1,226	0	2	7	0	3	6	78·1
Rawalpindi .		9,908	2,208	1,914	315	526	132	658	0	4	5	0	6	0	22 3
Jhelum .		7,314	1,932	1,255	738	400	687	1,087	0	5	2	0	15	11	26·4
Gujrat		3,924	2,044	1,927	154	401	74	475	0	3	4	0	7	8	52 1
Shahpur		5,628	1,318	1,318	143	412	146	558	0	5	0	0	15	8	23 4
Mooltan		10,015	2,304	1,837	1,876	630	939	1,569	0	5	6	0	9	0	23·0
Jhang		4,630	1,867	1,317	865	277	503	780	0	3	4	0	9	4	40 3
Montgomery		4,149	1,953	1,906	47	291	41	332	0	2	4	0	13	11	47·1
Muzaffargarh ...		6,958	2,878	2,279	596	576	418	994	0	4	1	0	8	1	41·4
Dera Ismail Khan		3,913	757	478	792	130	464	594	0	4	4	0	10	0	19·3
Dera Ghází Khan ..		4,828	1,587	...	1,587	...	785	785	0	0	0	0	7	10	32·9
Bannu .		4,907	509	217	422	139	292	431	0	10	0	0	11	0	10·4
Peshâwar		7,075	1,220	...	1,220	...	855	855	0	0	0	0	11	2	17 2
Hazárá		5,056	3,282	1,283	3,098	211	1,109	1,320	0	4	3	0	7	1	64 9
Kohát .. .		2,114	337		337		122	122	0	0	0	0	7	11	15 9
Total ...	1879	206,538	70,049	45,854	41,209	10,615	15,683	26,298	0	3	11	0	7	6	33 9
	1878	217,483	73,085	51,808	43,541	10,926	18,065	28,991	0	3	5	0	6	8	33 6

It will be observed that the variations in the results are considerable Local circumstances explain many differences, and the importance of the subject is very generally noticed by reporting officers Laxity, where it exists, is chiefly in the Tahsil and Honorary Magistrates Courts, where owing to the short distances travelled and the short detentions at the Courts, the evil is least felt, but most Deputy Commissioners who notice the subject are of opinion, that diet money is given with too sparing a hand The reports received having been written before the conclusion of the camping season, the results of the special inspection referred to in para 52 of last year's report have not yet been communicated, but the matter has been noted by several officers as engaging attention

Processes served by the Sheriff's Establishment

84 The Sheriff's establishment served 58,720 criminal processes in 1879 compared with 72,188 in the previous year The practice of relieving the police of this duty in every possible case appears to be universal

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PART II—APPELLATE JURISDICTION OF MAGISTRATES AND COURTS OF SESSION

Number of appeals instituted

85 In the following comparative table will be found the number of appeals preferred to District and Divisional Courts during the years 1878 and 1879, together with the proportion they bear to the number of original cases decided —

Grade of Court	Year	Number of original cases decided	Number of appeals instituted	Percentage of appeals to original cases decided
Subordinate Magistrates	1878	41 010	2,016	4 9
	1879	43 127	1 949	4 5
Magistrates of Districts exercising ordinary Jurisdiction and other Magistrates of the 1st class.	1878	38,391	3 124	8 1
	1879	37,101	2,534	6 8

Remarks on decrease in appeals from Subordinate Magistrates

86 The percentage of appeals to original cases decided by Subordinate Magistrates, declined from 5 8 in 1877 to 4 9 in 1878, and the results of 1879 show a still further decrease It has already been pointed out in para 56 of this report, that the proportion of cases decided by Magistrates of the 2nd class was larger in 1879 than in the previous year, and the decrease above noted, though small in itself, would seem to show that the cases of which the lower grades of the Magistracy dispose, are really of the petty nature described above in para 52 of this report

The decrease in the number of cases decided by Magistrates of Districts and other Magistrates of the 1st class has already been noticed as arising out of the character of the crimes prevailing during the year The smaller percentage of appeals from the orders of such Magistrates would appear to point to a more careful exercise by those officers of the powers entrusted to them

Appeals to District Courts.

87 Of the 1,981 appeals affecting, 3 308 persons (inclusive of 32 appeals and 57 persons pending from the previous year) for disposal in District Appellate Courts during 1879, cases to the number of 1,975 in which 3 270 persons were concerned were disposed of There were thus 24 cases and 38 persons awaiting disposal at the end of the year The statement annexed affords some details of disposal —

District		Appeals Disposed of						Percentage of persons whose				
		By Deputy Commissioners		By Judicial Assistants		By Assistant Commissioners		Appeals were rejected	Sentences were confirmed	Sentences were modified	Sentences were enhanced	Sentences were reversed & quashed
		Cases	Persons	Cases	Persons	Cases	Persons					
Delhi		39	96	10	13			30	7	7	4	52
Gurgaon		65	120					8	53	11	1	32
Karnál		20	37					57	19	8	8	8
Hissar		25	49					53	6	4		37
Rohtak		53	112	11	14			14	54	7	1	24
Sirsa		24	37					16	38	19	13	14
Umballa		29	39	38	55	9	9	50	22	5	4	19
Ludhiána		98	154	2	4			10	50	18	2	20
Simla		4	5						20			80
Jullundur		72	119					9	29	30	2	30
Hoshiárpur		66	114	2	2			55	8	14	1	22
Kángra		4	4	37	55	3	3	15	18	14	3	50
Amritsar		184	299					18	46	22	1	23
Gurdáspur		26	33	54	72			25	45	10		20
Siálkot		78	12[illegible]	6	18			17	38	19	1	25
Lahore		96	153						46	13	1	40
Gujránwála		17	20	34	58			43	10	5		42
Ferozepore		74	166					37	21	9	11	22
Rawalpindi		102	154	88	197			48	12	12		28
Jhelum		73	13[illegible]	54	10[illegible]	2	4	20	28	19	1	32
Gujrat		64	110					55		5	4	36
Shahpur		37	68	21	44			20	12	23		34
Mooltan		58	60	1	1			32	20	13	4	30
Jhang		108	125					31	19	15		35
Montgomery		38	67					46	11	9	8	31
Muzaffargarh		37	47					70		6	13	11
Dera Ismail Khan		14	15	8	9			17	56	5	5	17
Dera Ghází Khan		11	21					81	5			14
Bannu		18	26					54	11	19	8	8
Peshawar		12	19	14	28			15	54	7	2	22
Hazará		25	37					10	60	5	3	16
Kohát		8	8						25	12		63
Total	1879	1 571	2,593	372	661	14	16	29	27	14	3	28
	1878	1 514	2 540	486	846	25	42	22	38	12	3	26

88 It is satisfactory to find that Deputy Commissioners as a rule have retained in their own Courts the bulk of the criminal appellate business of their districts The returns of the current year will probably show that the directions of Government in this matter have been more implicitly carried out The District Officers of Umballa Rawalpindi Jhelum and Peshawar were doubtless in the exceptional circumstances of the past year, much occupied in miscellaneous duties and effect has been given to the instructions of the Government during only one half of the year under report in these and certain other districts where the proportion of disposals of appellate work by Judicial Assistants is still, in the court's opinion, undoubtably large

Distribution of appeals between Magistrates of Districts and Judicial Assistants

89 The Deputy Commissioner of Kangra explains that he took up all the criminal appeals of his district after his return from tour in September last the earliest date after the matter had been brought to his notice when he could take action to the end of the year Up to that time the Judicial Assistant had been entrusted with the disposal of criminal appeals as Colonel Jenkins considered this the better arrangement in the interests of appellants who, owing to the frequency and length of his tours would often have long distances to travel

The blanks in column 9 against the Gujrat and Muzaffargarh Districts suggest some error of record while the absence from the Lahore and Kohát returns of appeals rejected' points to a mistaken procedure of the local appellate authorities Explanations have been sought in all these cases

Appeals rejected under Section 278 of the Criminal Procedure Code

90 About 46 per cent of the appeals disposed of were decided under the provisions of Section 278 Criminal Procedure Code but the files were inspected in all, but 5 per cent before judgment was given

Reversals

91 The provincial percentage of reversals has increased from 26 to 28 It was unusually high in the Districts* marginally* noted In Simla and Kohát the figures are exceptional The high percentage of sentences reversed in the Delhi District, is said to be due to the reversal of the orders of one officer in 4 cases, affecting 28 persons In the Gujránwála District the Judicial Assistant interfered very frequently with the sentences passed by the Boards of Honorary Magistrates The topic is not noticed in the other two reports

*Simla Kohát Delhi Kángra, Gujránwála and Lahore

In the Districts of Bannu Muzaffargarh, Sirsa, Dera Ghází Khan, Hazárá and Umballa the proportion of reversals was small

Enhancement of sentences

92 The percentage for the Province of sentences enhanced was, as in 1878 2 per cent but the proportion of enhancements was more evenly distributed It will be observed however, that in 9 districts no sentence was enhanced, while, on the other hand, the proportion of enhancements was comparatively high in the Sirsa, Muzaffargarh, and Ferozepore Districts

Average duration in District Courts

93 Appeals in District Courts required, as in 1878, an average of 8 days for decision The average was very high in the following districts —

Bannu	... ...	30 days
Mooltan	... ...	21 „
Jullundur	... .	19 „
Peshâwar	... .	17 „
Rohtak	... ...	15 „
Kohât	...	13 „

The explanation of his high average, furnished by the Deputy Commissioner of Bannu is that one case of trespass was pending for 253 days to enable him to visit the scene of the dispute In the Mooltan and Rohtak Districts re-inquiry was found necessary in a large number of cases The Deputy Commissioner of Jullundur appears to have adopted the procedure, under Section 278 Criminal Procedure Code, during only half the year, and he further explains that one appeal remained pending 82 days owing to the files being required by the Chief Court The long duration in the Peshawar and Kohât Districts is not explained

Oldest appeal pending at the end of the year

94 The case longest pending at the end of the year was one instituted on the 22nd November in the Gurdáspur District The cause of its non-disposal is not noted

Appellate work of Courts of Session

95 Full information regarding the working during 1879 of the Courts of Session will be found in the following statement —

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	FOR DISPOSAL						DISPOSED OF																
	PENDING FROM LAST YEAR.		INSTITUTED DURING THE YEAR.		TOTAL.		PERSONS								TOTAL.				Pending at the end of the year				
							Appeals rejected without a hearing under Sec 278 Cr P Code								After directing further enquiry under Sec 282 Cr P C		Without directing further enquiry						
DIVISION	Cases.	Persons.	Cases	Persons	Cases.	Persons.		Without calling for file.	After personal view.	Sentences confirmed, under Sec. 282 Cr P Code.	Sentences modified.	Sentences enhanced	Sentences reversed.	Proceedings quashed under Sec 294 Cr P Code	Cases	Persons.	Cases.	Persons.	Cases	Persons.	Average duration of Appeals.	Number of appeals which at the close of the year had been pending more than one month	Date of oldest case pending
Delhi	4	4	272	272	272	272	30	3	51	80	23	6	70		6	6	226	266	1	1	10		
Bilaspur	4	4	174	234	177	234	2			170	19	5	34		9	9	167	224	1	1	10		18th Dec 1879
Umballa	6	6	334	364	340	370		34	237	11	26	1	55	1	4	4	281	361	5	6	11		16th Dec 1879
Jullundur			86	98	86	98	4	6	24	28	12		18				65	92	1	1	16		8th Dec 1879
Amritsar	10	11	315	35.	325	364		52	126	2	29	8	45				273	351	12	12	16		17th Dec 1879
Lahore	10	10	378	388	388	398	21	40	19	220	13	4	48		8	8	362	377	18	18	14	3	22nd Sept 1879
Rawalpindi	19	19	302	344	315	363	2	45	3	226	6	2	73		6	6	309	357			21		
Mooltan	24	29	387	468	411	497	22	1	171	35	52	11	61		10	10	387	464	14	24	28	1	5th Nov 1879
Derajat			205	221	205	221	2	14	162	18	8		28	1	5	5	197	228	8	8	11		17th Dec 1879
Peshâwar	1	3	147	158	128	161	2	7	1	96	19	6	39		7	7	120	153	1	1	9		16th Dec 1879
TOTAL	83	91	2,534	2 90	2,617	2 981	99	203	866	938	265	54	497	2	55	55	2 497	2,568	60	69	17	4	22nd Sept. 1879

Results compared.

96. The details of disposals in such Courts for the year compared with those of 1878 are noted in the abstract which follows :—

	1878.	1879.
Percentage of orders upheld ...	73	72
Do. do. modified ...	7	9
Do. do. enhanced ...	2	2
Do. do. reversed or quashed ...	18	17

The proportion of reversals in the Delhi Court amounted to 29 per cent. In the Derajat Division it slightly exceeded 10 per cent.

Pending files.

97. The number of appeals pending at the close of the year (50) compares favorably with that remaining (68) at the end of 1878. There were 4 cases pending more than one month in 1879, compared with 12 in the previous year; but one of these dated from the 22nd September. The cause of delay is not noticed in the Divisional report, but it is known to the Court that the appeal was in a successful prosecution by the postal department. The appellate court remanded the case for evidence regarding departmental procedure and on this remand the post office authorities failed to supply the required evidence or to reply to repeated communications addressed to them on the subject. The appeal was ultimately disposed of, early in the current year, on the record as it originally stood.

Average duration of appeals in Courts of Session.

98. The average duration was 17 days, a decrease of one day on the average of the preceding year. It was highest (28 days) in the Mooltan Court, where, however, there has been a reduction of 15 days on the results of 1878. The Peshâwar average was the lowest, being 9 days as compared with 15 in the preceding year.

PART III.—PUNISHMENTS.

Punishments inflicted during last two years compared.

99. The punishments inflicted during the years 1878 and 1879 are compared in the following statement :—

Punishment.	1878.		1879.	
	Number.	Percentage.	Number.	Percentage.
Death	127	·1	108	·1
Transportation for life	122	·1	134	·2
Transportation for a term	87	·0	32	·0
Imprisoned and fined	13,216	16·0	11,554	13·6
Imprisoned and whipped	596	·7	578	·7
Imprisoned only	6,520	7·9	6,608	7·7
Fined only	46,162	55·7	48,598	57·1
Whipped only	4,832	5·9	4,285	5·0
Punishments under Section 49 of the Prisons Act	...	...	50	·1
Ordered to find Security to keep the peace	3,442	4·1	3,363	4·0
Ordered to enter into recognizance to keep the peace ...	2,245	2·7	2,483	2·9
Ordered to find Security for good behaviour	5,515	6·8	7,352	8,6
TOTAL ...	82,915	...	85,145	...

Increase of persons dealt with by sessions Courts.

100. A slight increase will be observed in the number of persons dealt with by Sessions Courts. There is also a slight rise in the number of persons punished by each Court with terms of imprisonment, which might have been awarded by Magistrates of Districts invested with enhanced powers. This latter increase is chiefly in the Peshâwar Court.

Proportions in which punishments were awarded

101 The proportions in which the different punishments were awarded during the 2 years is exhibited in the table annexed —

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
			PERSONS SENTENCED TO											Persons ordered to find or give		
				TRANSPORTATION		IMPRISONMENT				FINE		WHIPPING				
						Rigorous										
* CLASS OF TRIBUNAL	Year	Total number of persons punished.	Death.	For life	For a term.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property	With imprisonment.	Without imprisonment or transportation	In addition to other punishment.	In lieu of other punishment.	Security to keep the peace	Recognizance to keep the peace.	Security for good behaviour
Magistrates Courts	1878	82 420	1		16	11 882	7 505	72		18 127	46 159	694	4,852	3 436	2 242	5 615
	1879	84 619			13	11 114	6,514	692		11 478	48 666	677	4 234	3,461	2,452	7 242
Sessions Courts	1878	494	126	122	18	185	90	3	1	88	3	2		4	8	—
	1879	526	106	134	10	118	59	6	5	81	52	1	1	2		10
Chief Court	1878	1					1									
	1879						"				"					
Total	1878	82 915	12	122	37	12,020	7 596	726	2	18 216	46 162	696	4 853	3 442	2 248	5 615
	1879	85 145	106	134	22	11 429	6 612	698	5	11,584	48 698	678	4 235	3,462	2 454	7 252

* The increase in the percentage of persons whose only punishment was fine, is the natural feature in a year of petty crime

Imprisonment

102 In 1878 the total number of persons sentenced to imprisonment was 20 332 Of the 18 740 similarly punished in 1879,

3,795 or 20 per cent were sentenced to terms not exceeding one month

8,028 or 43 per cent were sentenced to terms exceeding one month but not exceeding 6 months

6,055 or 32 per cent were sentenced to terms exceeding six months but not exceeding 2 years.

843 or 4 per cent were sentenced to terms exceeding 2 years but not exceeding seven years

19 or 1 per cent were sentenced to terms exceeding seven years

Rigorous imprisonment and solitary confinement

103 Of the persons sentenced to imprisonment, 18 042 were rigorously imprisoned The sentences of 11 429 of these latter or 63 per cent. included solitary confinement, as compared with 61 per cent in 1878

The percentage of sentences which did not include solitary confinement was highest in the following districts —

Gurgaon	...	50 per cent
Hoshiárpur	...	50
Amritsar	...	51 "
Rawalpindi	...	51 "

Simple imprisonment.

104 Six hundred and ninety-eight persons were sentenced to simple imprisonment in 1879, showing a decrease of 28 on the results of the previous year

Forfeiture of property

105 Eight persons were sentenced to forfeiture of property as compared with 2 in the preceding year Five of these sentences were passed in the Deraját, two in the Rawalpindi and one in the Peshawar Divisions The Judges are still of opinion that this form of punishment might with advantage be more freely used in the Sessions Courts of Peshawar and Rawalpindi

Whipping

106 Whipping was administered to 4,863 persons, of whom 4,391 were adults, and 472 juvenile offenders.

It was awarded to 4,285 persons as a sole and to 578 persons as an additional punishment. On each of 1,324 persons, or 27 per cent of the total punished with whipping, less than 10 stripes, on 2,261 or 47 per cent. between 10 and 20, and on 1,278, or 26 per cent. between 20 and 30 stripes, were inflicted.

Fine.

107. Fine was imposed, either as a sole or an additional punishment on 60,152 or 71 per cent. of the total number of persons punished. Of these

49,500 or 82 per cent. were fined sums not exceeding Rs. 10;

9,475 or 16 per cent. between Rs. 10 and Rs 50;

796 or 1 per cent. between Rs. 50 and Rs. 100; and

381 or 1 per cent. sums exceeding Rs. 100.

The differences as compared with 1878 are an increase of 2 per cent. in the first class and a decrease of 1 per cent. in each of the second and third classes.

Amounts imposed, realized and awarded in compensation.

108. The aggregate of fines imposed during the year amounted to Rs. 5,37,349, of which 3,16,537 or 58 per cent. were realized. These figures as compared with those of 1878 show a falling off of 11 per cent. in the total of fines imposed, and an improvement of 3 per cent. in realizations. This coupled with the fact that the average of incidence has fallen from Rs. 10 to Rs. 9 in District Courts, and from Rs. 118 to Rs. 78 in Sessions Courts, leads to the inference that fines have been apportioned with greater discrimination in the year under report, and the Judges feel satisfied, at least, of the fulfilment of the hopes expressed in para. 110 of last year's report, that their then recently published Circular on the subject would lead to greater attention being paid to fines and their realization.

A sum of Rs. 81,097 was also recovered during the year on account of fines imposed in previous years.

The courts awarded in compensation Rs 86,058 of the total amount of fines imposed, of which Rs. 45, 718 inclusive of sums awarded, though not paid in previous years, was actually paid away.

Realizations of last two years in each district and in each Sessions Court compared.

109. Particulars of realization in each District and Sessions Court for 1878 and 1879 respectively, are shown in the following statement from column 7 of which realizations of fines imposed in previous years are excluded :—

1	2	3	4	5	6	7	8
Division.	District.	Year.	Total number of persons fined.	Total amount of fines imposed.	Average amount of fine per head.	Percentage of fine realized.	Percentage of fine imposed, ordered to be paid in compensation.
Delhi.	Delhi	1878	1,601	13,274	8	43	23
		1879	1,311	16,217	11	45	10
	Gurgaon	1878	1,867	15,006	8	37	8
		1879	1,519	8,829	6	61	5
	Karnál	1878	1,120	19,050	17	26	8
		1879	709	8,320	12	43	12
	Sessions Court	1878	3	250	83		...
		1879	6	520	86	20	..
Hissar.	Hissar	1878	1,420	14,737	10	55	23
		1879	994	11,344	11	50	19
	Rohtak	1878	1,529	15,843	10	54	11
		1879	1,251	13,999	11	65	5
	Sirsa	1878	611	6,523	11	59	15
		1879	603	6,064	10	52	11
	Sessions Court	1878	3	180	60	92	...
		1879	15	630	42	100	87
Umballa.	Umballa	1878	2,747	28,900	10	50	8
		1879	2,389	22,090	9	61	5
	Ludhiána	1878	2,580	11,852	5	60	6
		1879	2,785	12,674	5	63	14
	Simla	1878	1,738	6,208	4	72	6
		1879	2,629	7,639	3	70	6
	Sessions Court	1878	4	245	61	...	...
		1879	1	1,000	1,000		..

1	2	3	4	5	6	7	8
Division.	District.	Year.	Total number of persons fined.	Total amount of fines imposed.	Average amount of fine per head.	Percentage of fine realized.	Percentage of fine imposed, ordered to be paid incompensation.
Jullundur.	Jullundur	1878	2,920	14,481	5	52	13
		1879	2,493	11,445	5	65	15
	Hoshiárpur	1878	1,183	9,674	8	43	6
		1879	1,561	12,602	8	55	5
	Kángra	1878	2,846	14,826	5	73	16
		1879	3,592	15,527	5	66	13
	Sessions Court	1878	14	1,680	116	7	...
		1879	3	115	38	...	6
Amritsar.	Amritsar	1878	3,014	29,660	10	57	16
		1879	2,559	21,650	8	54	16
	Gurdáspur	1878	1,922	17,172	9	66	14
		1879	1,823	13,565	7	59	14
	Siálkot	1878	1,908	13,401	7	52	6
		1879	1,758	14,204	8	49	13
	Sessions Court	1878	7	2,300	329	95	92
		1879	6	145	24	28	...
Lahore.	Lahore	1878	3,899	44,596	11	40	12
		1879	3,185	28,946	9	59	9
	Gujránwála	1878	1,693	15,199	9	48	11
		1879	1,908	15,670	8	48	10
	Ferozepore	1878	1,789	13,794	8	68	19
		1879	2,262	20,622	9	48	18
	Sessions Court	1878	6	1,000	167	65	...
		1879	4	400	100	94	...
Rawalpindi.	Rawalpindi	1878	4,638	34,569	7	70	10
		1879	4,572	35,173	8	73	13
	Jhelum	1878	2,249	21,205	9	63	15
		1879	4,792	21,372	5	64	9
	Gujrat	1878	887	13,140	15	42	13
		1879	796	10,784	14	50	27
	Shahpur	1878	1,496	22,058	15	67	9
		1879	1,467	17,093	12	64	9
	Sessions Court	1878	34	3,465	102	65	...
		1879	13	685	52	56	...
Multan.	Mooltan	1878	3,518	25,286	7	57	11
		1879	2,829	15,679	6	76	7
	Jhang	1878	719	9,139	12	56	28
		1879	691	8,699	12	50	21
	Montgomery	1878	981	12,848	13	30	4
		1879	752	8,653	11	51	5
	Muzaffargarh	1878	844	11,284	13	61	13
		1879	858	10,087	12	72	10
	Sessions Court	1878	4	300	75	25	17
		1879	25	3,250	130	62	4
Derajat.	Dera Ismail Khan	1878	876	11,945	14	74	19
		1879	1,139	21,165	19	63	28
	Dera Ghási Khan	1878	1,042	22,536	21	61	30
		1879	1,358	19,904	15	78	27
	Bannu	1878	1,169	18,361	16	94	32
		1879	1,241	22,222	18	84	33
	Sessions Court	1878	9	650	72	0	...
		1879	17	1,250	73	36	8
Peshawar.	Peshawar	1878	2,415	50,886	21	42	36
		1879	2,173	41,338	19	30	25
	Hazárá	1878	1,162	16,813	14	35	10
		1879	1,123	12,641	11	49	25
	Kohát	1878	950	19,713	22	78	39
		1879	1,114	23,252	21	73	31
	Sessions Court	1878	8	890	111	27	21
		1879	23	790	34	37	3
	Total — District Courts ..	1878	59,286	565,328	10	55	17
		1879	60,039	528,554	9	50	16
	Total — Sessions Courts ...	1878	92	10,870	118	53	22
		1879	113	8,795	78	49	9

Among Sessions Courts, Amritsár shows the largest decrease (67) in the percentage of realizations. The most noteworthy increase (37) is in the Mooltan Court.

Looking at District realizations, the increase in percentage is most marked in the Districts of Gurgaon (24), Montgomery (21), Lahore and Mooltan (each 19) and Karnal (17) The decrease in realizations is most marked in the Ferozepore and Pesháwar percentages

Average of incidence

110 The average of incidence has decreased in each of the districts above noted for large realizations It has most largely increased in the Dera Ismail Khan District

Fines imposed by Sessions Courts

111 Fines imposed by Sessions Courts during 1879, aggregated Rs 8,795, as compared with Rs 10,870 in the preceding year

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PART IV—PREVENTIVE JURISDICTION

Preventive Jurisdiction

112 The measures for the prevention of crime falling under Chapters XXXVII, to XLI of the Criminal Procedure Code, were more largely employed by Magistrates in the year 1879, than in the previous year as will be seen from the following table —

Nature of jurisdiction.	Year	Total cases.	Persons against whom proceedings were concluded	Persons with respect to whom action was taken
Recognizance or security to keep the peace Chapter XXXVII, Criminal Procedure Code	1878 1879	2 039 1 937	7 705 7 796	5 680 5 844
Security for good behaviour, Chapter XXXVIII Criminal Procedure Code	1878 1879	4 766 5 464	6 664 8 517	5 615 7 342
Local Nuisances, Chapter XXXIX, Criminal Procedure Code	1878 1879	57 96	272 339	169 248
Possession Chapter XL Criminal Procedure Code ,	1878 1879	86 116	205 270	24 79
Maintenance, Chapter XLI, Criminal Procedure Code	1878 1879	2 767 3 373	2 767 3 353	533 645

Security to keep the peace

113 Guarantees to keep the peace were, as usual, demanded most freely in the Frontier Divisions In the Derajat Division they were taken from 2,287 persons, and in that of Pesháwar from 1,951 The Bannu District contributed an aggregate of 1,839, and the Pesháwar District of 1 208 persons to these totals The Government has already been informed of the reasons for demanding these guarantees in such large numbers in Districts on the Frontier

In default of furnishing the recognizance or security demanded from them, 206 persons or 3 per cent were imprisoned, and of these all but 62 were released within one month. Resort to imprisonment was most frequent in the Kohát District

The average amount for the province of recognizance or security demanded from each person was Rs 105 In the Ferozepore District where, however, no person was imprisoned for failure to comply with the demand, it amounted to Rs 271 The average was low in the Delhi and Gurgaon Districts being Rs 22 and 25 respectively The results in this direction of 1878 cannot be compared, because, as explained in para 114 of last year's report this information has now been collected for the first time

Security for good behaviour.

114 Turning to operations under Chapter XXXVIII, Criminal Procedure Code, an increase amounting to 31 per cent appears in the returns for the province of persons required to furnish security for good behaviour The subjoined table exhibits the proceedings taken in each district It will be observed that it differs from that appended to para 21 of this report in showing only cases admitted to have occurred. As in last year's report an added column shows the number of admitted cases of non-bailable house-trespass and house-breaking, whilst a fresh column shows the average amount of security demanded —

District.	Number of admitted cases of non-bailable, house-trespass and house-breaking.	Number of persons from whom security for good behaviour was demanded.	Percentage of persons imprisoned in default.	Percentage of persons imprisoned in default for more than a month.	Average amount of security demanded.
Delhi ..	503	83	78	58	69
Gurgaon ...	309	90	43	4	75
Karnál ...	224	207	25	14	73
Hissar ...	147	63	35	8	50
Rohtak ...	237	163	62	26	105
Sirsa ...	69	88	16	...	124
Umballa ...	644	247	7	...	76
Ludhiána ...	249	48	85	62	128
Simla ...	80	11	27	27	182
Jullundur ..	860	91	61	52	77
Hoshiárpur ...	564	64	84	36	78
Kángra ...	191	8	87	87	125
Amritsar ..	722	441	12	5	114
Gurdáspur	1,018	157	72	55	78
Siálkot ...	729	430	45	21	68
Lahore ...	932	1,328	3	2	150
Gujránwála ...	805	295	9	7	59
Ferozepore ...	98	130	...	...	190
Rawalpindi .	519	164	65	39	123
Jhelum ...	558	116	41	26	100
Gujrat ...	340	82	72	44	95
Shahpur ...	248	67	21	4	85
Mooltan ...	510	213	20	19	308
Jhang ...	249	35	8	...	127
Montgomery ...	186	41	29	29	49
Muzaffargarh ...	440	285	45	20	499
Dera Ismail Khan ...	252	209	65	52	382
Dera Ghází Khan ...	257	278	54	22	202
Bannu ...	360	1,272	8	2	100
Peshâwar ...	639	523	11	9	165
Hazárá ...	651	49	81	12	127
Kohát ...	331	114	36	21	257
Total ...	13,371	7,342	24	18	137

The Judges remarked in last year's report that in proportion to the burglarious offences in Hoshiárpur, Kángra, Gurdáspur, Siálkot, Mooltan and Hazárá, preventive measures in those districts seemed to be few. Excluding Siálkot and Mooltan, where more activity has been displayed during the year under report, the remark applies to the same districts, and to these in 1879 should be added the districts of Delhi and Jhelum.

Security for good behaviour was required from the largest number of persons in the Lahore and Bannu Districts. The Peshâwar and Amritsar Districts follow at some interval. The numbers were small in Gujrat and Jhang.

The average amount for the province of security demanded from each person, was Rs. 137. It was highest (Rs. 499) in the Muzaffargarh District, which is not sufficiently explained by the statement that very large sums were considered necessary to bind certain influential persons; while of the high averages in the Dera Ismail Khan, Mooltan, Kohat and Dera Ghazi Khan Districts no explanation has been furnished. The average of incidence was lowest (Rs. 49) in Montgomery.

Imprisonment in default of furnishing the security demanded.

115. The percentage of persons imprisoned in default of furnishing the security demanded, has fallen from 30 per cent. in 1878 to 24 per cent. in 1879. The proportion of persons imprisoned for more than one month is the same for the 2 years.

Districts in which the law has been most carefully worked.

The measures taken under this Chapter appear to have been most carefully worked in the Ferozepore District, where the security demanded was invariably furnished without resort to imprisonment being necessary; in Lahore where but 3 per cent of the persons required to furnish security were imprisoned, and 2 per cent. only were detained more than one month in prison; and in the Jhang District where the percentage of imprisonments being the same, no person was detained beyond a month; in Umballa where 7 per cent. were imprisoned and none detained more than

a month, and in Bannu where imprisonments generally were 8 per cent and detentions over a month, 2 per cent In these Districts the average incidence was either below, or did not largely exceed, the provincial average The special attention of Magistrates has been drawn to this branch of their preventive jurisdiction during the year by more than one Circular

Cases under Chapter XXXIX, Criminal Procedure Code.

116 Of the 248 persons against whom proceedings were taken under Chapter XXXIX 214 appear in the returns of the Rohtak District In last year's report the large number of persons (166) proceeded against in 1878 formed matter for comment The repeated preponderance in this District, which has passed unnoticed by the Deputy Commissioner, suggests an erroneous classification and is the subject of a special reference

Cases under Chapter XL, Criminal Procedure Code

117. Disputes regarding land and water, under Chapter XL, numbered 116 during 1879 Proceedings were taken against 270 persons in all, but they succeeded against only 79 They were most frequent, as in 1878, in the Peshawar District, where declaratory orders were passed against 40 out of 115 persons proceeded against in 55 cases

Cases under Chapter XLI, Criminal Procedure Code

118 Of the 3,353 applications for maintenance under Chapter XLI, orders were passed against 645 persons The corresponding figures in 1878 were 2,767 and 533 respectively As in the preceding year 6 persons were imprisoned in 1879 for refusing to comply with the orders of maintenance passed against them

Award of compensation under Section 209 Criminal Procedure Code.

119 In the subjoined table will be found a comparison for the year under report and the 4 years preceding of the number of persons fined and the amount of compensation awarded in the exercise of the discretionary powers vested in Magistrates by Section 209, Criminal Procedure Code, in cases found to be frivolous or vexatious —

Year	Persons fined	Total amount of fine imposed
1875	680	Rs 1,520
1876	797	8 539
1877	715	„ 3 113
1878	722	„ 4 372
1879	659	„ 3 608

PART V—CHIEF COURT JURISDICTION

120 The criminal business of the Chief Court falls under the heads of murder references, appeals, revision cases, miscellaneous cases, and original jurisdiction The operations of the year will be noticed under each of these divisions

Reference side

121 The cases of 126 persons on whom sentences of death had been passed by Sessions Judges were referred for confirmation Of these 109 persons were disposed of in the following manner The sentences passed on 83 persons were confirmed, those of 20 were modified, and those of 2 annulled and re-investigation ordered Four persons were acquitted The sentences passed on 17 persons remained under consideration at the end of the year The average duration of each case fell from 37 days in 1878 to 33 in 1879

Appellate side.

122. The number of criminal appeals instituted during 1878 and 1879 is compared in the following statement :—

Division	Appeals against the orders of Sessions Judges.		Appeals against the order of Magistrates of districts.		Total.	
	1878.	1879.	1878.	1879.	1878	1879.
Delhi	10	18	33	31	43	49
Hissar	25	8	21	20	46	28
Umballa ..	24	30	45	55	69	85
Jullundur	17	10	14	9	31	19
Amritsar	27	12	62	43	89	55
Lahore ..	17	15	31	49	48	64
Rawalpindi ...	70	51	32	35	102	86
Mooltan ...	30	20	60	63	90	83
Derajat	20	42	54	48	74	90
Peshâwar ..	77	58	11	14	88	72
Total	317	264	363	367	680	631

There was thus a small decrease in the number of appeals instituted, arising from the decrease in the more heinous forms of crime. Appeals from the orders of Sessions Judges stood in the proportion of 42 per cent to the 58 per cent filed against the orders of Deputy Commissioners exercising powers under Section 36 Criminal Procedure Code. The proportions in 1878 were 47 and 53 per cent., respectively

Inclusive of appeals pending from 1878, there was a total of 686 cases involving 841 persons for disposal during the year. The cases of 760 persons or 90 per cent, of the whole number appealing were disposed of in the manner shown in the annexd table.

Detail of disposal.	Number of persons disposed of.	Proportion to total number disposed of.
Appeals rejected	332	49·7
Sentences confirmed	270	35 5
" Modified	96	12 6
" Enhanced	...	...
" Reversed and quashed	62	8·2

There were thus 56 cases and 81 persons pending at the close of the year. The proportion of appeals rejected at a preliminary hearing has increased, but modifications and reversals have been more frequent than in 1878. The average duration of appeals which was 41 days in 1878, fell to 38 in 1879 or 1 day less than the average in 1877. The appeal longest pending, dates from the 22nd July 1879, and was one from the Derajat Division. Adjournments were found necessary for the production in the first instance, and subsequently for the completion of the file of police papers. The appeal has since been decided.

Revision side.

123. The cases of 1,159 persons were dealt with on the revision side in the following manner. The Court

Rejected the applications of 776 persons
Confirmed the sentence of 79 "
Modified those of ... 65 "
Enhanced those of .. 16 "
Reversed those of ... 144 "
Ordered retrial of ... 79 "

leaving 124 persons undisposed of at the end of the year. The average duration of revision cases declined from 32 days in 1878 to 29 in 1879.

Miscellaneous cases.

124 The Court also disposed of 19 miscellaneous criminal cases and inspected, and where necessary, commented on the files of 28 cases in which the proceedings of the Subordinate Courts appeared to call for criticism.

Original jurisdiction.

125. In the exercise of its original criminal jurisdiction, the Chief Court disposed of one case during the year. The accused, who was charged under Sections 304 and 326 Indian Penal Code, was acquitted.

PART VI.—PROCEDURE.

Circulars issued.

126. The more important circulars issued by the Chief Court during the year on points connected with the administration of criminal justice, have been noticed in the course of the foregoing report.

Habitual offenders.

127. Altogether 1,727 persons who had been previously convicted were punished again during the year. One previous conviction under Chapter XII or Chapter XVII, Indian Penal Code, had been recorded against 1,286 of these persons, as compared with 1,404 persons who were convicted for a second time in 1878. The number of those who having been twice or oftener previously punished were again re-convicted, rose in 1879 to 441 from 404 in 1878

Sentences recorded against habitual offenders being reported to the Chief Court monthly; any which on a review of such monthly statements appear to be inadequate are commented on, and where necessary, the files are sent for and the sentences passed enhanced. Special instructions on this subject were issued during the past year.

Reference under Section 46 Criminal Procedure Code.

128. Subordinate Magistrates referred to Magistrates of Districts 319 cases under Section 46, Criminal Procedure Code. Such references were most frequent in the Districts of Gurgaon, Ferozepore, Montgomery and Muzaffargarh.

Supervision

* Messrs. G. Smyth, Benton, T. Roberts, Coldstream, Gardiner and Fryer, Col. Bendon and Major Macaulay.

129. Sessions Judges and Magistrates of Districts have, in general, carefully supervised the working of the Courts subordinate to them. The acknowledgments of the Court are, in particular, due to Messrs. Perkins, and Cordery, and Major Gordon Young, among Sessions Judges, and to the Officers* marginally noted among Deputy Commissioners for their constant attention to the working of the Courts in their respective Divisions and Districts.

130. I am to express the regret of the Judges that, owing to the pressure of Court and Chamber business, they have been unable to make any personal inspection of subordinate Courts during the year 1879.

I have, &c.

T. O. WILKINSON,

Officiating Registrar, Chief Court, Punjab.

IMPERIAL RETURNS.

IMPERIAL RETURN. **NO. 1.**

STATEMENT SHOWING THE VARIOUS JUDICIAL TRIBUNALS, ORIGINAL AND APPELLATE, EXISTING IN THE PUNJAB ON THE LAST DAY OF THE YEAR 1879.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Class of tribunals, distinguishing those which exercise powers in one department, from those exercising powers in two or three departments and those consisting of paid from unpaid Judges	Number of Judicial Divisions.	Average area of each district in square miles	Average population of each Division	Number of tribunals.	Constitution of tribunals, stating number of Judges in each, and Jury or Assessors if any.	Judicial powers of each tribunal, original and appellate.	Present bad qualifications of Judges previous to appointment	Total number of Judges — European — Covenanted.	Total number of Judges — European — Commissioned Military Officers	Total number of Judges — Uncovenanted.	Total number of Judges — Native	Average annual salary of each paid Judge — European	Average annual salary of each paid Judge — Native.	Total cost of tribunals	Net receipts from stamps.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work	Average number of Advocates attached to each tribunal	Number of cases decided during the year — Criminal	Civil.	Revenue.	Appeal
Munsiffs, exercising Civil powers only . Paid	Cantonment and District Small Cause Courts, and 74 Munsiffs' Courts.	10,183 square miles to last Census, taken in 1868		74	1	Civil powers up to Rs. 300,	...		...	..	74					No executive functions	gazetted holidays excepted	Mukhtiars are practising in the Province.	52	1,41,823	...	.
Local and Subordinate Magistrates of the 3rd Class exercising Criminal powers only ... Paid				10	1	Powers of a Magistrate of the 3rd class.	..	..	6	2	2					Superintendents of Jails, Canal, Customs and Forest Department Officers.			165	...	...	...
Unpaid				15	1		...	...	2	2	11					Honorary Magistrates.			274	...	...	...
Local and Subordinate Magistrates of the 3rd Class exercising Civil and Criminal powers Paid				48	1	Powers of a Magistrate of the 3rd class and Civil powers up to Rs 50.	...	4	1	2	41					Tahsildars, Naib Tahsildars, Assistant Commissioners and Extra Assistant Commissioners			5,956	5,767	12,873	..
Unpaid				10	1		...	...	...		10					Honorary Magistrates			350	1,592	...	...
Local and Subordinate Magistrates of the 2nd Class exercising Criminal powers only .. . Paid				4	1	Powers of a Magistrate of the 2nd class.	...	2	4	13	2					Canal, Customs and Forest Department Officers			525	...	...	.
Unpaid				34	1		...	...	...	.	17					Honorary Magistrates.			1,447	...	.	.
Local and Subordinate Magistrates of the 2nd Class exercising Civil and Criminal powers Paid				132	1	Powers of a Magistrate of the 2nd Class and Civil powers up to Rs. 500, or in the case of Assistant Commrs., Extra Asst. Commrs and Honorary Judges, up to Rs. 500.	...	2	1	4	125					Tahsildars, Assistant Commissioners, and Extra Assistant Commissioners			23,158	29,061	1,10,031	..
Unpaid				30	1		...	...	..	...	30					Honorary Magistrates.			2,060	11,165	324	.
Small Cause Courts, confined to their proper functions .				4	1	Powers under Ac XI of 1865		1	...	3	..	Rs 16,647	Rs 2,049	Rs 21,17,229	Rs 19,60,099	... ...			101	12,082	...	...
Small Cause Courts, exercising also Criminal powers ...				8	1	Powers under Act XII of 1864, Act XI of 1865 and Magisterial powers under the Code of Criminal Procedure.	...	...	8	..	...					... ...			4,706	6,728	...	...

Municipal Benches (Unpaid)	10 Divisions containing 92 districts which are sub divided into 126 Tahsils and include 12	1 Tahsil 180 according	19	*4	Magisterial powers					76			City Magistrates.	The entire year Sundays and	11 Advocates 108 Pleaders and 109	7,652	..	.	...
Magistrates of 1st class exercising Criminal powers only (Unpaid)			3	1	Powers of a Magistrate of the 1st class.					4			Honorary Magistrates			1,148			
Magistrates of 1st class exercising Civil and Criminal powers other than Magistrates of Districts — Paid			100	1	Powers of a Magistrate of the 1st class and Civil powers up to Rs. 10 000 Judicial Assistants and Extra Judicial Assistants have power to hear original civil suits of any value, and also to hear Criminal appeals from 2nd and 3rd class Magistrates, and Civil appeals from Tahsildárs and Naib Tahsildars and Assistant Commissioners and Extra Assistant Commrs., with special and ordinary powers		30	8	17	58			Asst. Commrs Extra Asst Commrs. Judicial Assts. and Extra Judicial Assistants			29,466	44,702	26,316	10,179
Magistrates of 1st class exercising Civil and Criminal powers other than Magistrates of Districts — Unpaid			26	1			.			12			Honorary Magistrates			420	8	2,816	..
Magistrates of Districts exercising also Civil powers			32	1	Powers of a Magistrate of the 1st class and power to hear Criminal appeals from Magistrates of the 2nd and 3rd class and on the Civil side power to hear original suits of any value, and appeals from Tahsildárs and Asst Commissioners and Extra Assistant Commissioners with special and ordinary powers These officers also exercise the special powers of Sec. 36 Criminal Procedure Code		19	13					Deputy Commissioners.			4,012	159	73,470	4 460
Sessions Courts exercising also Civil powers			12	1 sided by 3 Assessors	Powers of a Sessions Judge On the Civil side these officers have no ordinary original Civil jurisdiction they hear appeals from Asst Comrs and Extra Asst Comrs. with full powers and Deputy Commissioners		6	7					Commissioners and Superintendents of Revenue.			389			6 316
Chief Court				3 sided by a Jury of 9 men in Original Criminal Trials.	Powers described in Chapter III of the Punjab Courts Act 1877		2		1				No Executive functions.			1	3	.	2,128
Total			563				67	50	44	462						51 914	2,53,090	2,25,829	23,063

* Average number

IMPERIAL RETURN No. 2

STATEMENT OF OFFENCES REPORTED, AND OF PERSONS TRIED, COMMITTED AND ACQUITTED FOR EACH OFFENCE IN THE PUNJAB DURING THE YEAR 1879

1	2	3	4	5	6	7	8	9
Number	NOMENCLATURE OF OFFENCES	Number of Section of Indian Penal Code or other Penal Law applicable	Number of offences reported during the year	Number of persons under trial during the year	Number of persons acquitted and discharged	Number of persons convicted and committed	Died escaped or transferred.	Remaining under trial at the end of the year
	I.—OFFENCES PUNISHABLE UNDER THE INDIAN PENAL CODE							
	A.—NON BAILABLE							
1	Concealing a design to commit a non bailable offence	118 to 120	4	6	2	4		
2	Waging war against the Queen	121	4	10		10		
3	Giving false evidence	194 to 196	7	31	7	26	1	
4	Fabricating false evidence	194 to 196	4	6	5	1		
5	Wilful omission of public servant to apprehend a convict	222	1	2		2		
6	Resistance to lawful apprehension and rescue	225	5	4		4		
7	Escaping or attempting to escape from custody for failing to give security for good behaviour.	225 A	1	6		6		
8	Counterfeiting coin	231 to 236	12	15	3	12		
9	Import or export of counterfeit coin	237, 238	2	2		2		
10	Passing or possessing bad or altered coin	239 to 243 and 250 to 254	184	198	55	144		
11	Diminishing or altering coin	246 to 249	10	21	5	16		
12	Murder by Thugs	302 303 396	6	3	1	2		
13	" Dacoits	"	19	14	5	9		
14	" Robbers	"	84	47	22	25		
15	" by poison for sake of robbery	"	7	7		7		
16	" from other motives	"	18	15	3	11		1
17	Other murders from motives connected with women	"	122	191	44	141	2	4
18	" " from other motives		165	254	58	162	7	27
19	Attempt to murder	307	59	61	10	41		10
20	Culpable homicide	304	189	279	75	191	2	11
21	Abetment of suicide	305 306	7	10	5	5		
22	Causing miscarriage	313 to 316	7	8	5	2		1
23	Grievous hurt by dangerous weapons	326	32	42	23	19		
24	Causing hurt or grievous hurt to extort property or confession or to constrain a person	327 329 331 and 333	4	5	5			
25	Administering stupefying drugs	328	56	30	25	13	1	
26	Assault in attempting theft from person	356	16	28	8	19		1
27	Kidnapping or abduction	363 to 365 367 to 369	167	259	117	127	9	6
28	Abducting a woman to compel marriage, or for defilement	366	51	76	43	27	1	5
29	Habitual dealing in slaves	371	2	2	2			
30	Selling, letting or unlawfully obtaining a woman for purposes of prostitution	372 373	19	41	26	14		1

No. 2.—*continued.*

1	2	3	4	5	6	7	8	9
Number	NOMENCLATURE OF OFFENCES	Number of section of Indian Penal Code or other Penal Law applicable	Number of offences reported during the year.	Number of persons under trial during the year	Number of persons acquitted and discharged.	Number of persons convicted and committed.	Died escaped or transferred	Remaining under trial at the end of the year
	A—NON-BAILABLE—*concluded*							
31	Rape	376	102	106	58	39	1	7
32	Unnatural offences	377	78	65	27	37		1
33	Theft of cattle	379 to 381	4,456	3,993	955	2 978	13	47
34	" ordinary	"	11,037	10,528	2,149	8,279	22	78
35	Theft of cattle, after preparation for causing death or hurt or restraint	382	8	10	5	5		...
36	Theft ordinary, after preparation for causing death or hurt, or restraint	"	7	5	1	3	1	...
37	Extortion by causing fear of death, or grievous hurt or accusation	386 to 389	3	17	17		...	...
38	Robbery in a dwelling house	392, 393	55	59	23	36	..	...
39	" on the highway	"	98	112	63	47		2
40	" elsewhere ...	"	118	117	47	61	9	...
41	" with hurt or deadly weapon, by poison or stupefying drugs	394, 397, 398	44	25	7	18		5
42	" " " " by other means		88	46	18	24	3	1
43	Dacoity	395, 398	110	146	74	64	8	...
44	Dacoity with grievous hurt	397	7	12	8	3	1	...
45	Preparation or assembly for dacoity	399, 402	5	17	2	15		...
46	Belonging to a gang of thieves ..	401	6	33	25	8		..
47	Criminal breach of trust	406 to 409	579	861	419	415	8	19
48	Dishonestly receiving stolen property	411 to 414	3,358	4,698	1,616	2,949	56	77
49	Serious mischief by fire	436, 438	146	23	14	9		
50	Mischief to a vessel ...	437 439	2	3	3			...
51	House trespass in order to the committing of theft	451	59	58	23	35		...
52	" " " " an offence punishable with death o transportation for life	449, 450	5					
53	House-trespass having made preparation for causing hurt	452	36	15	11	4		
54	Lurking house-trespass or house-breaking	453, 456	2,266	597	152	438	3	4
55	" " " in order to the committing of theft	454 457	10,843	5,590	1,508	4,009	18	55
56	Lurking house trespass or house breaking in order to the committing of an offence other than theft	454, 457	209	138	50	87		1
57	Lurking house-trespass or house-breaking, having made preparation for causing hurt	455, 458	181	86	34	37	3	12
58	Lurking house trespass or house-breaking with attempt to cause death or grievous hurt.	459, 460	22	53	17	29	3	4
59	Forgery or fraudulently using or possessing forged document	466 to 468, 472 to 477	52	99	55	44		
60	Fraudulent and unlawful marriages	493, 495, 496	8	17	16	1	...	...
61	Circulating false rumours to disturb the public peace ..	505	1	2	1	1	...	...
	B—BAILABLE							
62	Concealing a design to commit a bailable offence ..	119, 120	1	1		1		...
63	Personating a soldier	140	6	47	16	31		

No. 2.—*continued.*

1	2	3	4	5	6	7	8	9
Number.	NOMENCLATURE OF OFFENCES	Number of Section of Indian Penal Code or other Penal Law applicable	Number of offences reported during the year	Number of persons under trial during the year	Number of persons acquitted and discharged.	Number of persons convicted and committed.	Died, escaped or transferred.	Remaining under trial at the end of the year.
	B.—BAILABLE—*continued*							
64	Being a member of, or joining an unlawful assembly ...	143 to 145, 151, 158	24	222	109	113	...	...
65	Abetment of an unlawful assembly	150, 157	1	1		1		
66	Rioting	147 to 149, 152, 153	345	2,920	673	2,219	2	26
67	Omission to prevent or give information of a riot	154 to 156	1	26	26	...		
68	Affray	160	208	1,016	316	699	1	.
69	Bribery	161 to 165	148	217	153	57	...	7
70	Public servant disobeying a lawful direction with intent to cause injury	166	11	14	7	7	...	...
71	Public servant framing an incorrect document with intent to cause injury	167	8	15	8	6	...	1
72	Personating a public servant	170, 171	41	53	16	32	1	4
73	Evading, disobeying or preventing service of summons ...	172 to 174	118	434	152	280	.	2
74	Omitting to produce a document	175	1	2	2	.	...	...
75	Omitting to give information	176	76	208	75	125	...	8
76	Giving false information	177, 182	440	521	185	321	2	13
77	Refusing oath, answer, or signature when duly required ..	178 to 180	4	4	..	4	...	..
78	Making false statement on oath	181	21	32	5	25	1	1
79	Resistance to the lawful taking or selling of property .	183, 184	151	315	152	159		4
80	Obstructing or omitting to assist a public servant .. .	186, 187	220	458	195	248	2	13
81	Disobedience to lawful order	188	150	447	153	291	...	3
82	Threatening a public servant with injury	189	5	8	...	8	...	...
83	Giving or using false evidence (simple)	193, 196	197	364	178	164	4	18
84	Fabricating false evidence, or using fabricated evidence (simple)	193, 196	14	17	6	11	...	...
85	Signing or using a false certificate	197, 198	4	16	10	5	...	1
86	Making or using a false declaration	199, 200	10	20	2	18	.	...
87	Screening an offender by causing disappearance of evidence, &c	201	19	57	22	33	...	2
88	Omitting to give information of an offence	202	38	95	33	54	...	8
89	Giving false information respecting an offence	203	9	5	2	3	...	...
90	Secreting or destroying documentary evidence	204	9	8	6	2	...	..
91	False personation in judicial proceedings ...	205	25	42	10	30		2
92	Fraudulently claiming or removing property to prevent legal seizure	206, 207	14	31	15	10	...	.
93	Fraudulently suffering a decree	208	6	10	9	1	...	...
94	False claim	209	14	19	7	10	...	2
95	Fraudulently obtaining or executing a decree ...	210	14	15	9	6	...	...
96	False charge of an offence	211	180	240	133	92	...	15
97	Harboring an offender	212, 216	14	32	19	12	1	...
98	Taking gift to screen an offender . ..	213, to 215	26	47	19	27	...	1
99	Public servant fraudulently defeating punishment or forfeiture	217, 218	19	21	11	9	1	...

No 2 —*continued.*

1	2	3	4	5	6	7	8	9
Number	NOMENCLATURE OF OFFENCES	Number of Section of Indian Penal Code or other Penal Law applicable	Number of offences reported during the year	Number of persons under trial during the year	Number of persons acquitted and discharged	Number of persons convicted and committed	Died escaped or transferred	Remaining under trial at the end of the year
	B —BAILABLE —*continued*							
100	Public servant omitting to apprehend or suffering to escape	221 222	12	21	10	11		
101	Public servant negligently suffering an escape	223	72	98	16	81		1
102	Resistance to lawful apprehension and rescue	224 225	152	190	30	148	2	10
103	Insulting a public servant during judicial proceedings	228	49	57	4	53		
104	Making selling or possessing a counterfeit stamp	255 258 259	1	4		4		
105	Using or preparing for use a stamp known to have been used before	261 to 263	16	19	5	14		
106	Using possessing making or selling false weights or measures	264 to 267	91	131	34	96		1
107	Negligently or malignantly endangering human life	269 270, 279 280 282 285 286, 289	133	265	50	212		3
108	Adulterating or selling adulterated food	272 273	68	99	27	72		
109	Do Do Do drugs	274 275	3	8	1	2		
110	Knowingly selling one drug as another	276	1	5	5			
111	Defiling the water of a public reservoir	277	28	73	23	50		
112	Making atmosphere noxious to health	278	21	113	18	95		..
113	Obstructing a public way	283	17	35	4	31		
114	Committing nuisance	291	240	893	216	675		2
115	Selling or possessing obscene books	292 293	7	20	8	21		
116	Obscene songs	294	19	57	30	27		
117	Religious insult	295 297	61	145	105	38		2
118	Disturbing religious assembly	296	11	20	9	10		1
119	Causing death by rash or negligent act	304 A	44	84	36	45	1	2
120	Attempt to commit culpable homicide	308	9	12	2	10		
121	Attempt to commit suicide	309	178	165	51	114		
122	Causing miscarriage (simple)	312	13	26	19	7		
123	Exposing and abandoning a child	317	18	10	6	4		
124	Concealment of birth	318	20	23	5	17	1	
125	Causing hurt	323 324	2 691	5 624	3 345	2 268	1	75
126	Causing hurt by dangerous weapons	324	92	128	22	106		
127	Causing hurt to extort confession, &c	330 332	22	86	49	36	1	
128	Grievous hurt	325	499	712	296	397	3	20
129	Grievous hurt on grave and sudden provocation	335	43	56	13	43		
130	Doing any act which endangers human safety	336, 337	13	20	5	15		
131	Causing grievous hurt by an act which endangers human safety	338	8	10	5	5		
132	Wrongful restraint	341	303	671	570	101		
133	Wrongful confinement	342 to 344 346	104	313	226	82		5
134	Wrongful confinement to extort property or confession	347 348	10	24	23	1		
135	Assault or use of criminal force	352 to 355 357 358	17 635	39 294	32 978	5 831	10	475
136	Buying or disposing of any person as a slave	370	3	2	2			

No. 2.—*continued.*

1	2	3	4	5	6	7	8	9
Number.	NOMENCLATURE OF OFFENCES.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year	Number of persons under trial during the year	Number of persons acquitted and discharged.	Number of persons convicted and committed.	Died, escaped or transferred.	Remaining under trial at the end of the year.
	B.—BAILABLE—*concluded.*							
137	Unlawful compulsory labor	374	7	9	8	1	...	...
138	Extortion	384, 385	229	374	315	56		3
139	Dishonest misappropriation	403, 404	518	791	393	384	1	13
140	Cheating	417 to 420	697	1,015	686	316	1	12
141	Fraudulent disposition of property	421, 422, 424	16	34	23	8	...	3
142	Executing a deed containing false statement of consideration	421	12	29	18	10	...	.
143	Mischief, ordinary	426, 427, 430 to 433	1,416	3,302	2,301	965	4	32
144	Mischief by poisoning or killing cattle	428, 429	462	463	232	223	...	8
145	Mischief by destroying land-marks	434	45	102	72	20		10
146	Mischief by fire	435	67	43	27	15	1	
147	Criminal trespass	447	1,117	2,199	1,649	521	...	29
148	House-trespass (simple)	448	427	632	393	233	1	5
149	House-trespass in order to commit an offence (other than theft) punishable with imprisonment	451	39	49	23	26	...	.
150	Dishonestly opening a closed receptacle ...	461, 462	11	10	7	3		.
151	Forgery (simple)	465, 469, 471	74	138	93	31	...	14
152	Making or using false trade or property-mark	482 to 484 486 to 488	5	8	6	1	..	1
153	Making or possessing instrument for counterfeiting a trade-mark	485	1	1		1	...	
154	Removing or destroying a property-mark	489	4	9	7	2	..	.
155	Criminal breaches of contracts of service	490 to 492	121	283	103	178	..	2
156	Bigamy	494	99	231	168	40	7	16
157	Adultery	497	77	88	62	25	.	1
158	Enticing away a married woman	498	3,069	4,146	3,460	568	23	95
159	Defamation	500 to 502	183	263	202	57	...	4
160	Insult	504, 509	512	816	578	225	2	11
161	Criminal Intimidation	506, 507, 508	34	75	63	12	..	75
162	Being drunk and disorderly	510	13	17	4	13	...	..
	II.—OFFENCES UNDER THE CRIMINAL PROCEDURE CODE							
163	Contempts and disobedience of orders	Sec 435, Cr P. C.	156	173	4	169	...	...
164	Frivolous or vexatious complaints	" 209, "	595	659	...	659	...	..
165	Recognizance to keep the peace	" 849, 497, 499 "	790	3,430	924	2,483	2	21
166	Security to keep the peace	" 490, 497, 499 "	1,196	4,462	1,025	3,361	1	75
167	Lurking without ostensible means of subsistence ...	" 504, "	470	742	135	599	2	6
168	Bad livelihood	" 505, 506, "	5,771	7,921	1,029	6,743	9	140
169	Local nuisance	Chap XXXIX "	96	342	91	248		3
170	Disputes relating to possession of land	" XL "	119	272	191	79	..	2
171	Maintenance of wives and children	" XLI "	3,389	3,416	2,702	645	6	63

No. 2.—*continued.*

1	2	3	4	5	6	7	8	9
Number	NOMENCLATURE OF OFFENCES.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted and committed	Died, escaped or transferred.	Remaining under trial at the end of the year.
	II—OFFENCES UNDER THE CRIMINAL PROCEDURE CODE—*concluded*							
172	Proceedings to compel payment of penalty by accused	Sec. 396 Cr, P C	31	49	16	29	2	2
173	Proceedings to compel payment of penalty by sureties	„ 397, „	38	44	12	32		.
174	Recovery of penalty from principal ...	„ 502 „	21	31	4	27		.
175	Do, do, from sureties ...	„ 514 „	72	101	18	79	...	4
176	Do. do from witnesses ...	„ 398 „	1	2		2	...	...
177	Arrest without warrant of any person reasonably suspected of being a deserter from Her Majesty's Army or Her Majesty's Indian Army.	Clause 7 Section 92 „	1	1	...		1	.
178	Procedure by Police upon seizure of stolen property	Section 415 „	1	2	2	...	...	...
	III—OFFENCES UNDER SPECIAL AND LOCAL LAWS							
179	Breach of laws relating to Excise on spirits and drugs	Acts X of 1871 and XVI of 1863	174	263	75	187	..	1
180	Do. do. Opium ...	Acts X of 1871, XXVI of 1872, and XII of 1878	352	520	155	361	3	1
181	Do. do Salt and Saltpetre ...	Acts XXXI of 1861, XIV of 1843 XXXVI of 1855	31	44	8	36	..	...
182	Do do. Customs ...	Act VIII of 1875	177	528	98	430	...	...
183	Do, do. Stamps ...	Act XVIII of 1869 and I of 1879.	251	446	83	358	2	3
184	Do. do. Post Office ...	Act XIV of 1866	36	49	18	29	..	2
185	Do do Electric Telegraph...	Act VIII of 1860	2	2	...	2	..	...
186	Do do. Prisons ...	Act XXVI of 1870	162	168	6	162	...	..
187	Do do. Forests ...	Act VII of 1878	643	3,039	558	2,465	3	13
188	Do. do Ferries	Act XVII of 1878	3	3	...	3	...	...
189	Do do. Canals	Act VIII of 1873	368	1,144	304	839	1	...
190	Do do. Railways ..	Acts XVIII of 1854, XIII of 1870, XXV of 1871 and IV of 1879.	354	541	143	395	...	3
191	Do. do, Stage Coaches	Act XVI of 1861	20	38	20	18		
192	Do. do. Gaming ...	Act III of 1867	312	1,353	250	1,101	2	
193	Do. do. Cattle-trespass ..	Act I of 1871	795	2,296	1,706	559	...	31
194	Do. do. Arms	Act XI of 1878	149	192	37	155	..	...
195	Do. do. City Chaukidars	Act XX of 1856	11	14	4	10	.	..
196	Do. do. Cantonments ...	Act XXII of 1864	3,989	5,843	426	5,417	.	
197	Do. do. Nuisances under Section 34 of the Police Act.	Act V of 1861	4,829	11,110	943	10,156		11
198	Breach of the Police Act by Police Officers ...	Do.	52	68	12	56		—
199	Other offences punishable under the Police Act ..	Do	21	19	4	15	..	.
200	Nuisances under the Punjab Municipal Act	Act IV of 1873	3,722	6,330	1,496	4,824	1	9
201	Other offences under Do.	Do.	443	716	122	584	4	6

No. 2.—*concluded.*

1	2	3	4	5	6	7	8	9
Number.	NOMENCLATURE OF OFFENCES.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted and committed	Died, escaped or transferred	Remaining under trial at the end of the year.
	III.—OFFENCES UNDER SPECIAL AND LOCAL LAWS—*concluded*							
202	Purchasing soldiers' necessaries, stores, &c., and other offences under the Mutiny Act	Act VII of 1867.	1	1	...	1	...	...
203	Breach of law relating to Municipal Committee	Act XV of 1867.	3	3	...	3	...	...
204	Breaches of contract by artificers and workmen	Act XIII of 1859.	362	737	592	102	2	41
205	Breaches of contract by workmen on Railways and other Public Works	Act IX of 1860.	20	24	24	...	.	...
206	Breaches of laws relating to European Vagrancy ..	Act IX of 1874.	26	3	...	3	...	...
207	Do, do, Registration	Act III of 1877.	79	94	14	77	...	3
208	Do, do Criminal tribes and Eunuchs	Act XXVII of 1871.	588	727	96	614	14	3
209	Do, do, Village Watchmen	Act IV of 1872	497	870	198	659	2	11
210	Do, do. Village Headmen	Act IV of 1872.	19	71	25	45	1	...
211	Do, do. Track Law	Act IV of 1872.	11	14	4	8	2	...
212	Breach of other rules under the Punjab Laws' Act	Act IV of 1872.	136	247	56	191	...	...
213	Do, do. Prostitutes	Act XXII of 1864.	197	439	109	330	...	...
214	Do, do. Relating to Petition writers ...	Sec. 26 Act XVII of 1877	3	5		4	...	1
215	Do, do, Writing rules	Act X of 1877.	1	1	1	..	...	...
216	Resistance to lawful apprehension	Sec. 651, Act X of 1877	5	5	...	5	...	...
217	Breach of law relating to Treasure Trove	Act VI of 1878.	5	10	2	8	...	..
218	Offences under Frontier Regulation I of 1872, Section 8 ...	...	4	27	..	17	...	..
219	Do, do. ,, 4	...	5	6		6		...
220	Do do. ,, 8 ..	..	7	11	3	16	...	
221	Do do. IV of 1873, ,, 2	...	...	1,444	600	820	2	22

IMPERIAL RETURN. No. 3.

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE TRIBUNALS OF THE VARIOUS CLASSES IN THE PROVINCE OF THE PUNJAB IN THE YEAR 1879.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	Number of persons dealt with							Persons disposed of									
		Brought to trial during the year.															
Class of Tribunals	Remaining at end of last year	Under arrest by Police	Upon warrant	On summons	Voluntarily	Received by transfer	Total	Discharged without trial	Acquitted	Convicted	Committed or referred	Died, escaped or transferred	Total	Remaining at end of year	Average number of days during which each case lasted	Number of witnesses who attended	Remarks.
Unpaid Magistrates	83	8,074	870	17,730	690	..	27,447	9,739	3,944	13,613	8	14	27,318	129	6	27,797	
Local and subordinate *paid* Magistrates	740	28,468	3,102	36,823	2,744	10	71,887	26,543	7,063	37,482	106	86	71,280	607	7	75,452	
Paid first class Magistrates exercising jurisdiction throughout the district	807	27,346	4,371	21,700	1,142	36	55,402	19 454	4,946	29,340	554	147	54,441	961	10	89,299	
Chief Magistrates of the district	62	4,863	294	1,017	145	6	6,387	1,732	462	3,984	31	54	6,263	124	6	8,345	
Deputy Commissioners under Section 36, Act X of 1872	58	1,264	82	7	8	.	1,419	154	107	1,128	..	7	1,396	23	14	5,645	
Total Magistracy ..	1,750	70,015	8,719	77 277	4,729	52	162 542	57,622	16,522	85,547	699	308	160,698	1,844	8	206,538	
Sessions Courts ..	69	741	.	..	.		810		237	406	108	12	763	47	44	4,314	
Chief Court ..		1	.	.	..	..	1	.	1	.			1		29	8	
Total ..	1,819	70,757	8,719	77,277	4,72[illegible]	52	163,353	57,622	16 760	85,953	807	320	161,462	1,891	8	210,860	

IMPERIAL RETURN

No. 4.

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE VARIOUS CLASSES OF CRIMINAL TRIBUNALS IN THE PUNJAB DURING THE YEAR 1879.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	PERSONS SENTENCED TO												PERSONS ORDERED TO FIND OR GIVE		
		TRANSPORTATION			IMPRISONMENT				FINE.		WHIPPING				
					Rigorous										
Class of Tribunals.	Death	For life	For a term	Penal servitude	With solitary confinement	Without solitary confinement	Simple	Forfeiture of property	With imprisonment	Without imprisonment	In addition to other punishment	In lieu of other punishment	Security to keep the peace	Bond for keeping the peace	Security for good behaviour
Unpaid Magistrates					3,78	90	10		846	11 789	17	315	5	12	302
Local and subordinate *paid* Magistrates					3,773	3 152	2 3		4,4	2 229	38	1,9	555	319	733
Paid first class Magistrates exercising jurisdiction throughout the district					5 652	2,231	280		5,214	8,809	307	1 32	2 489	2,166	5 0
Chief Magistrates of the district					639	36	25		399	1 311	84	341	312	85	1 2 4
Deputy Commissioners under Section 38, Act X of 18			13		261	105	5		55	29	71	19			
Total Magistracy			13		11,314	6 514	622		11 473	48,806	577	4,283	3 361	2 483	7,342
Sessions Courts	106	124	19		113	9	6	8	81	32	1	1	2		16
Chief Court															
GRAND TOTAL	106	124	32		11,429	6,613	630	8	11,554	48,838	578	4,283	3,363	2 483	7,358

Class of Tribunals.	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
	DETAIL OF PUNISHMENTS.																					
	FINE.									IMPRISONMENT										WHIPPING		
										One month		Six months		Two years		Seven years		Above 7 years				
	Rs. 10 and under	Rs. 50	Rs. 100	Rs. 500	Rs. 1,000	Above Rs. 1,000	Total amount of fines imposed	Amount realized	Amount paid by way of compensation	Rigorous	Simple	Rigorous	Simple	Rigorous	Simple	Rigorous	Simple	Rigorous	Simple	Ten stripes and under	Twenty stripes and under	Thirty stripes and under
Unpaid Magistrates	11,084	911	28	1			44 12	37,113	2	543	98	763	1	255		6			–	105	139	56
Local and subordinate *paid* Magistrates	8 050	3 405	1	15			169,5 2	137,582	11,556	1,801	1	3,979	6	643	3	4				724	872	309
Paid first class Magistrates exercising jurisdiction throughout the district	9 461	4 141	324	87	10		206,9 4	14 781	10 350	908	162	2 36	132	4,245	1	8		–		390	1 005	5-4
Chief Magistrates of the district	4	582	162	182	3	2	69,354	51 3 6	18 63	65	16	243	13	562	1	1	–	–	–	64	129	132
Deputy Commissioners under Section 38, Act X of 18	69	362	58	4	8	2	23,027	14 292	1,5 9	3	2	78	3	266		11		6		2	13	5
Total Magistracy	49 483	9 408	773	345	26	4	528,354	288 147	45 419	3,318	47	8,04	196	9 1	27	27		8		1,324	2,261	1 2 6
Sessions Courts	1	67	23	3	2	1	5,79	9 48	2	3	1	24	4	6	1	116		11	–			2
Chief Court																						
GRAND TOTAL	49,500	9 475	796	349	28	5	537 349	39 624	43,718	3,321	4	7 28	200	6 031	24	343	–	19		1,324	2,201	1,2 6

IMPERIAL RETURN.

No. 5.

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PROVINCE OF THE PUNJAB DURING THE YEAR 1879.

1		2	3	4	5	6	7	8	9	10	11
TRIBUNALS.		Number of persons appealing or applying for revision under Section 297, Cr. P. Code.	NUMBER OF PERSONS. Appeals or applications rejected.	Sentences confirmed.	Sentences modified and enhanced.	Sentences reversed.	Proceedings quashed.	Cases referred for revision to the Chief Court.	Pending.	Number of cases in which further enquiry or evidence was ordered.	REMARKS.
Magistrates of Districts.	Appeals from unpaid Magistrates...	557	181	149	56	141	...	13	17	12	
	Appeals from paid Magistrates ...	2,911	825	724	467	759	28	87	21	53	
	Total ...	3,468	1,006	873	523	900	28	100	38	65	
Sessions Courts.	Appeals from unpaid Magistrates...	46	29	...	7	9	...	...	1	...	
	Appeals from paid Magistrates ...	3,079	1,269	938	310	488	2	14	58	55	
	Total ...	3,125	1,298	938	317	497	2	14	59	55	
Chief Court	Appeals	841	332	270	96	62	...	...	81	12	
	Revision	954	776	79	81	144	79	...	124	...	
	Total ...	1,795	1,108	349	177	206	79	...	205	12	
	Grand Total ...	8,388	3,412	2,160	1,017	1,603	109	114	302	132	

IMPERIAL RETURN. No. 11.

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS OF THE PROVINCE OF THE PUNJAB IN THE YEAR 1879.

1	2	3	4	5	6	7	8	9
				Jury Trials.		Assessors Trials.		
COURTS.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Cases in which Judge approved of verdict.	Cases in which Judge did not approve of verdict.	Cases in which Judge agreed with Assessors.	Cases in which Judge differed from Assessors.	Note showing in which class of cases Juries and Assessors have been principally employed.
Chief Court	9	1	...	1	...	...	...	...
Sessions Courts.								
Delhi	3	...	26	...	...	22	4	Assessors in all Sessions cases.
Hissar	3	...	10	...	...	9	1	
Umballa	3	1	21	...	1	20	1	
Jullundur	3	...	17	...	...	17	...	
Amritsar	3	...	22	...	...	20	2	
Lahore	3	...	34	...	...	25	6	
Rawalpindi	3	...	65	...	...	58	7	
Mooltan	3	...	28	...	...	27	1	
Derajat	3	...	42	...	...	42	...	
Pesháwar...	2	...	103	...	...	87	16	
Total ...	3	2	368	1	1	327	38	

Resolution of the Hon'ble the Lieutenant-Governor of the Punjab in the Home Department, No. 2684, dated 14th August 1880.

READ—

Report on the Administration of Criminal Justice in the Punjab for the year 1879, with letter No. 1357, dated 1st May 1880, from the Registrar, Chief Court, received in print on the 1st June.

REMARKS.—Although the returns of crime for the year 1878 were abnormally high, the returns for the year under report shew a further increase amounting to ·7 per cent. in offences reported. A review of the causes which have led to the maintenance of these high figures pertains more properly to the report on the operations of the police during the year, but there is no doubt that the circumstances of the two years were somewhat similar.

The scarcity which existed in 1878 continued with scarcely any abatement during 1879. Prices were high, and temptation to offences against property correspondingly strong. It is, however, noteworthy that whereas bailable offences increased, non-bailable crime shews a diminution of 5·4 per cent. The districts in which non-bailable crime has increased are mainly on or towards the frontier. The cause of the increase in these districts assigned by the Judges, *viz.*, the large influx of people to and from the front, coupled with the increased price of grain, is no doubt correct. It is remarkable that in Peshawar there has been a decrease in the number of offences, although the year 1878 shewed a decrease on the results of the previous year.

2. The Lieutenant-Governor notices with satisfaction that the proportion of cases in which offenders were brought to trial is nearly the same as in the preceding year, notwithstanding the increase in the number of offences reported; also, that the number of cases struck off the register on the application of the police continues to decrease.

3. There is a small increase in the murders reported. In all the Frontier districts except Peshawar there is a large increase in this crime. In disposing of murder cases, the Councils of Elders acquitted a large number of persons brought before them for trial. The proportion of cases committed to the Sessions Courts was smaller in 1878, but of the persons tried a larger proportion was acquitted, than in that year. The high percentage of acquittals in trials for murder in the Peshawar District is, in the absence of explanation, unsatisfactory. If this high percentage continues, it will be necessary to take special measures to examine the records of the Peshawar trials in order to ascertain the cause of the failure of the prosecutions.

4. In cases of cattle-theft there has been an increase in the last three years of 50 per cent. The causes assigned for this in the report are probably correct. There was not only an increase in the value of cattle, but also unusual facilities were offered for disposing of the animals. Prosecutions in cases of highway robbery and dacoity were more successful than in 1878, but the number of cases was larger owing probably to the unsettled state of the Frontier districts and the increased traffic. The number of cases of serious mischief by fire was nearly double that of the previous year. In 132 cases which were admitted to have occurred only 23 persons were brought to trial, and of this small number 9 only were convicted or committed. The failure in these prosecutions is to be regretted, but cases of this nature are very difficult to prove. The results of trials for assault shew that a very large proportion of the persons tried were discharged on the complaints being withdrawn; only 15 per cent. of the persons tried were convicted. The great waste of judicial power indicated by these facts shews the necessity for attending to the provisions of the law for preventing frivolous complaints. Notwithstanding the large increase in this class of cases, the number of persons fined for frivolous or vexatious complaints has not increased in the last five years.

5. The number of cases relating to the breach of special laws shews a considerable decrease, owing to the abolition of the Customs line, which resulted in a decrease of offences relating to salt and saltpetre and customs from 687 to 208

cases. In the report for last year the large number of offences brought to trial in the Mooltan District under the Police Act was brought to notice. The Deputy Commissioner explained that the increase was due to the movement of troops, but this explanation was not considered sufficient, and further information was called for. In the report for the present year no such cases are shewn. The Lieutenant-Governor would be glad to learn the result of the inquiry made in this matter.

6. The number of persons brought before the Magisterial Courts, including those under trial at the end of the previous year, amounted to 162,542. Of this number the cases of 160,698, or 98·7 per cent., were disposed of. This result shews promptness and is commendable. The percentage of convictions in non-bailable cases in the Kohat District, which was noticed as very low in the years 1877-78, shews an improvement and amounts to 45·2 per cent.; but this is still far below the Provincial average of 71 7 per cent. and shews lax administration. The failure of prosecutions in offences against the Forest law in the Hazara District has been noticed unfavorably in a separate communication. The Lieutenant-Governor was compelled to animadvert upon the neglect of the Deputy Commissioner in dealing with these cases, and the figures given in the present report confirm the remarks made by His Honor upon this subject.

7. The average duration of cases in the Magisterial Courts of the Hoshiarpur, Amritsar, Gurdaspur, Sialkot, Gujrat, Jhang and Montgomery Districts was considerably in excess of the Provincial average, *viz.*, 8 days. All those districts were noted for their high averages in last year's report, and the Lieutenant-Governor trusts that there will be an improvement shewn in future as there are no special circumstances which justify any exceptional delay in the disposal of cases in these districts. The average duration of the cases tried under Section 36 of the Criminal Procedure Code was for the whole Province 14 days. In the Rohtak District the average reached 90 days, a very high figure, for which the explanation of the Deputy Commissioner, to the effect that a number of cases required exceptional and local enquiry, cannot be held to be sufficient. The average was also high in the Ludhiana, Mooltan, Gurdaspur, Kangra and Sialkot Districts.

8. The distribution of the Criminal work among the various Courts is a subject which has engaged the attention of the Judges, and the Lieutenant-Governor notices with satisfaction the efforts which they have made to leave ample time to the Tahsildars for the disposal of their important revenue duties. The instructions, however, which they have issued on this subject have not in all cases met with the ready response which might have been expected, and the Tahsildars of the Ludhiana, Hoshiarpur, Amritsar, Sialkot, Rawalpindi, Jhelum and Gujrat Districts have been unduly burdened with a large number of Criminal cases.

9. The Lieutenant-Governor acknowledges with pleasure the valuable assistance to the Criminal Administration which has been rendered by the Boards of Honorary and Municipal Magistrates in the principal towns of the Province, as well as by Honorary Jagirdar Magistrates sitting alone. Of the former, the Magisterial Boards of Amritsar, Delhi, Mooltan and Peshawar may be specially mentioned; and of the latter, Shahzada Nadir, Sardar Ajit Singh, Raja Surat Singh, Diwan Naranjan Das and Sodhi Man Singh, in whose Courts a large amount of work was performed.

10. Under the special jurisdiction conferred upon them under Section 36 of the Criminal Procedure Code, the Deputy Commissioners disposed of 751 cases, of which 479 were triable exclusively by the Court of Session, and the remainder, 272 in number, were cases in which a punishment in excess of that awardable by a Magistrate with full powers was called for. In cases where the Deputy Commissioner discharged the accused or shewed by his sentence that he had not exercised the special powers, the trials have been classed with those decided under ordinary Magisterial powers, and the attention paid to this classification has resulted in an apparent decrease in cases tried under the enhanced powers, which is, however, only nominal. The Lieutenant-Governor regrets that the Deputy Commissioner of Kangra delegated so large a portion of his work

to the Judicial Assistant, deciding himself only a small proportion of Original and Appellate work. The percentage of acquittals in cases tried by the Deputy Commissioner of Rohtak, under his enhanced powers, is the highest in the province and indicates a lax procedure.

11. The Lieutenant-Governor is glad to notice that the Judges have attentively considered the question of the exercise of summary powers by Cantonment Magistrates, and that they have no reason for believing that any flagrant misuse of their powers by such Magistrates escapes notice.

12. The operation of the Frontier rules during the year requires few remarks. The number of acquittals by Councils of Elders in the Peshawar District has been already noticed. Notwithstanding the large number of acquittals, the Commissioner attributes the diminution of crime in Peshawar, as well as in Kohat, to the working of this agency, and the Commissioner of the Derajat Division is of opinion that there can be little doubt that the rules operate beneficially in deterring criminals. The experience gained from the working of the rules shews that, when carefully watched, they are very useful and suited to the conditions of Frontier districts.

13. There has been a considerable reduction in the duration of cases tried by the Courts of Session, the decrease being from 58 days to 44 days. The verdicts of assessors were in a large majority of cases accepted by the presiding Judge. The acquittals in trials for murder in Peshawar have been already noticed.

14. The Lieutenant-Governor is glad to learn that the statistics relating to the detention of witnesses show an improvement. The returns of Peshawar, Jhang and Rawalpindi, however, contrast unfavorably with those of other districts. In regard to the agency for summoning witnesses, it is stated that the practice of relieving the police of this duty in every possible case appears to be universal, but the Lieutenant-Governor notices that the Criminal processes served by the Sheriff's establishment have largely decreased during the year under report, and this fact throws some doubt on the justness of the conclusion.

15. There has been a marked decrease in the number of appeals from orders by Magistrates of districts and other Magistrates of the 1st Class, and the Lieutenant-Governor concurs with the Judges in thinking that this reduction indicates a more careful exercise by such Magistrates of the powers entrusted to them. The Lieutenant-Governor is glad to see that the Judges of the Chief Court are carefully watching the Appellate branch of the procedure of the Criminal Courts, and that Deputy Commissioners, as a rule, have retained in their own Courts a large proportion of the Criminal Appellate business of their Courts. The Deputy Commissioner by hearing appeals from the subordinate Courts obtains a good insight into their working, which is not otherwise available to him. The Appellate work of the Peshawar Court of Session shows a considerable reduction in the duration of cases, which is creditable.

16. In the chapter on punishments, the most noteworthy feature is the increase of the percentage of persons whose only punishment was fine. The adjustment of the amount of fine to the means of the person on whom it is inflicted is a matter, the importance of which is fully realised by the Judges, and this end, viewing the results recorded, has been partially attained.

17. Under the judicious superintendence of the Chief Court, the preventive provisions regarding security, contained in Chapter 38 of the Criminal Procedure Code, are being worked in the Punjab in such a manner as to obtain the end desired with the least amount of unnecessary restraint to the persons from whom security is demanded. These useful provisions, however, are not worked equally in all districts of the Province, and the Lieutenant-Governor has recently had to notice the failure in the Rohtak District of almost all such prosecutions, on the ground that the right persons were not sent up for trial by the police. At the same time the Deputy Commissioner admitted the existence of a large number of bad characters in the district. In such a case the Lieutenant-Governor considers the District Officer must be responsible

for making arrangements to have the right persons brought up and required to furnish security. The Lieutenant-Governor is glad to learn that convictions of habitual offenders who had been twice or oftener previously punished, increased considerably during the year.

18. There was a slight decrease in the work which came before the Chief Court for disposal during the year under report. The average duration of cases of all kinds has been reduced. The Lieutenant-Governor wishes to express his satisfaction at the manner in which the Judges of the Chief Court have fulfilled their high and important functions. Their close attention to all points of procedure in the subordinate Courts, and the instructions issued by them to improve the working and to ensure correct records of results, are evidenced in the growing efficiency of the Courts of the Province. The Lieutenant-Governor hopes that, notwithstanding the heavy pressure of their arduous duties, the Judges will find it possible to supplement, by occasional inspection of the subordinate Courts, the orders and instructions conveyed in their decisions and written communications.

ORDER.—Ordered, that a copy of the foregoing be forwarded to the Registrar of the Chief Court, for the information of the Judges, and for annexure to, and circulation with, the report.

Ordered also, that a copy be printed and published in the *Punjab Gazette*.

By order of the Hon'ble the Lieutenant-Governor of the Punjab,

W. M. YOUNG,

Secretary to Government, Punjab.

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